

Zoning Ordinance

(Staff Version)

Ordinance #3171

City of North Little Rock, Arkansas



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North Little Rock Department of Community Planning

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I. TITLE

101.

The full title of this ordinance shall be the Comprehensive Zoning Ordinance for the City of North Little Rock, Pulaski County, Arkansas.

II. ENACTING CLAUSE

201.

This ordinance as submitted will become effective on the date of its passage. AN ORDINANCE to provide comprehensive zoning regulations for the City of North Little Rock, Arkansas; to establish zoning districts; to regulate the use and occupation of land and the use, location, occupation, erection, and alteration of buildings and structures within said district; to regulate the height, number of stories, the size of buildings and open spaces, and the density of population; to provide for approval of planned building groups; to establish off-street parking and off-street truck loading requirements and regulations; to provide for administration and enforcement of this ordinance and procedures pertaining thereto ; to provide for amendments to this ordinance; to prescribe penalties for violations of this ordinance;- and to repeal all ordinances in conflict or inconsistent with the provisions of this ordinance.

WHEREAS, The City of North Little Rock, Arkansas, deems it necessary in order to provide adequate light, air, convenience of access, and safety from fire, panic and other dangers; to lessen congestion in the streets; to promote the public health, safety, comfort, morals, convenience and general welfare of the public to prevent the overcrowding of land; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, and to conserve the value of buildings and encourage the most appropriate use of land in accordance with a comprehensive plan; now, therefore,

Be it ordained by the City Council of North Little Rock, Arkansas:

III. SHORT TITLE

301.

This ordinance shall be known as the "North Little Rock Zoning Ordinance."

IV. AUTHORITY AND PURPOSE

401. Authority.

The ordinance is enacted under the provisions of Act 186 of the Acts of the Arkansas General Assembly of the Year 1957 and all amendments thereto.

402. General purpose.

This ordinance is enacted to preserve and promote the public health, safety, and general welfare of the inhabitants of the City of North Little Rock, and of the public generally, and to encourage and facilitate the orderly growth and expansion of the municipality.

Whereas zoning is generally considered as imposing limitations on the development of land it, does, in point of fact, establish safeguards for the majority of property owners within the municipality. Zoning is the only legal method of establishing property values and securing the property owner from intrusion of uses, which if not compatible, could reduce and defect adjacent property values. Through zoning, not only can we create an orderly pattern of development, but we can also safeguard the investment made by the community in public improvements and facilities. Zoning is a way of implementing the land use plan. It is important to insure that sufficient and suitable lands be available for future development for the stability of the economic structure of the community is of concern of all the people living therein. Basically, zoning is an attempt to secure a reasonable development pattern by grouping of similar and related uses and separating dissimilar and unrelated uses. Zoning, while regulating, is not an undesirable infringement upon basic, private rights, but rather a safeguarding of the majority rights and a promotion of future general welfare.

403. Establishment of zones and purposes thereof.

In order to implement the intent of this ordinance, the City of North Little Rock is hereby divided into nineteen (19) classes of districts with the designations and general purposes listed below and the specifically permitted and prohibited uses tabulated in Section VI.

- R-0 Single-family medium-density district to promote affordable home ownership and certain open spaces.
- R-1 Exclusively a single-family low-density residential district to promote a suitable environment for family life.
- R-2 Exclusively a single family low-density residential district allowing certain specified home occupations.
- R-3 Single and two-family residential district but including certain home occupations and secondary uses.

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- R-4 Primarily a multi-family or apartment district but including single and two-family structures and certain secondary uses.
- R-5 Primarily for planned development of grouped, terraced or row housing, but including single and two-family structures and certain secondary uses.
- R-6 Exclusive single-family medium density district permitting home occupations well designed to encourage the building of well-developed private, low-cost residential areas in certain parts of the city.
- C-1 Exclusively for low density, quiet professional and business structures.
- C-2 A neighborhood shopping area for convenience goods.
- C-3 Primarily a planned shopping center, for the conduct of retail trade with emphasis on servicing a large segment of the community in surrounding residential areas.
- C-4 Primarily devoted to retail and certain wholesale and service activities oriented to automobile traffic and transients.
- C-5 Primarily retail trade, administrative and professional offices and services to the general public in the central business area, serving a regional trade.
- C-6 Mixed-use district supportive of local and regional goals and objectives with a unique sense of place for regional recreation and entertainment activities.
- I-1 Primarily small areas of low density development in close proximity to commercial or residential areas and limited to those light manufacturing and wholesaling activities which can be operated in a clean and quiet manner, plus certain public facilities which are needed to serve the occupants of the district and residents of adjoining residential districts.
- I-2 This district is composed of wholesale and warehousing activities and industries, subject only to those regulations needed to control congestion and to protect nearby residential and business districts.
- I-3 This district is composed of manufacturing, assembling and fabricating industries usually down wind from residential and business areas. Regulations are the minimum required for mutual protection of the industrial users.
- O-1 Primarily for public centers and lands and certain secondary uses.
- FP This district is composed of open or undeveloped land subject to improper drainage as determined by the City Engineer and the Planning Commission but which may be developed without undue difficulty upon correction of the drainage problem. The zone letters following the Cons-I, i.e. Cons I (C-2), indicate the use permitted upon correction of the basic problem.

GB/W The district is composed of lands that are to be retained in a natural state, being either forest or designated wetlands with very limited active permissible uses. The purpose for designating green belt and wetland conservation zones is reserving wooded or wetland areas to lessen the intensity of urban development and protect natural resources. Green belt and conservation districts provide expanded buffer areas and separating uses reduce development stress in the urban environment, as well as providing space for wildlife habitat and nature trails.

4.4. Boundaries.

The boundaries of each of these districts are hereby established as shown on the map entitled "Zoning Map, North Little Rock, Arkansas," dated November 1, 1961, and as amended, which is hereby declared to be a part of this ordinance, and which is in the keeping of the North Little Rock Planning Commission. (Unless otherwise specifically shown on the Zoning Map, North Little Rock, Arkansas, the boundaries of the districts are lot or street right-of-way lines) as they existed at the time of the establishment of the boundary in question. Questions concerning the exact location of district boundary lines shall be determined by the planning commission as provided in Section XIII of this ordinance. Any and all notations, references, and information on the map authorized by the North Little Rock Planning Commission and the city council shall be as much a part of this ordinance as if the matters and information set forth by said map were all fully described herein.

405. Territorial jurisdiction.

The provisions of this ordinance shall apply to all lands within the corporate limits of the City of North Little Rock and to all territories which may be annexed to the city hereafter as hereinafter provided.

V. RULES OF CONSTRUCTIONS AND DEFINITIONS

501. Construction.

For the purpose of this ordinance the following rules of construction and definitions shall be followed:

501.01 Words, phrases, and terms defined herein shall be given the defined meaning.

501.02 Words, phrases, and terms not defined herein but in the building code of the municipality shall be construed as defined in such code.

Cross reference - Building code adopted, § 9-16.

501.03 Words, phrases, and terms neither defined herein nor in the building code of the municipality shall be given their usual and customary meanings except where the context clearly indicates a different meaning.

Cross reference- Building code adopted, § 9-16.

501.04 The text of the ordinance shall control captions, titles, and maps.

501.05 Where any requirement of this ordinance results in a fraction of a unit, a fraction of five-tenths or more shall be considered a whole unit and a fraction of less than five-tenths shall be disregarded.

501.06 The word "shall" is mandatory and not permissive; the word "may" is permissive and not mandatory.

501.07 Words used in the singular include the plural and words used in the plural include the singular.

501.08 Words used in the present tense include the future tense and words used in the future tense include the present tense.

502. Definitions.

502.001 **Accessory structure:** A detached subordinate structure located on the same lot with the main building, the use of which is customary to the main building.

502.002 **Alley:** A minor permanent public service-way that is used primarily for vehicular service access to the back or side of properties otherwise abutting on a street.

502.009 **Alter:** Any structural change in the supporting or, load-bearing members of a building, such as bearing walls, columns, beams, girders, floor joists.

502.004 **Animated sign:** Any sign having a conspicuous and intermittent variation in the illumination or physical position of any part of the sign.

502.005 **Antique.** Fine art object or household furnishing which is at least fifty (50) years old and was characteristic of a specified period in a specific country.

502.006a Antique and Furniture Action House: A business which regularly offers for sale to the highest public bidder at regularly scheduled times and by an individual auctioneer trained as one who regularly conduct auction sales, items of household wares and furniture, office wares and furniture and appliances. Further, any such time or artifact or reproduction of items or artifacts and art works, which are, in fact, or in the opinion of the auctioneer seventy-five (75) years or older. Provided, nothing herein contained shall allow public -auction of the following items:

- 1) Meat, calves, pigs or other animals, whether living or dead, or farm products of any kind.
- 2) Automobiles, automobile parts or related items of personal property.
- 3) Construction equipment, heavy equipment, heavy machinery or tools regularly used in construction or commercial work.

All merchandise to be sold by any antique and furniture auction house shall be displayed within the confines of the physical structure utilized as the auction house so as to prohibit the displaying of items for sale or the conducting of the auction outside the physical structure.

No antique and furniture auction house doing business in a C-2 zone shall conduct public auctions between the hours of 6 :00 p.m. and 9 :00 a.m., nor conduct any auction or hold for inventory or display for sale outside the physical structure comprising the auction house. (Ord. No.4513, § 2, 5-12-75 ; Ord. No.4716, § 2, 1-24-77; Ord. No.4717 , §§ 2, 3, 2-14-77) Editor's note-The above section is derived from Ord. No.4716, adopted 1-24-77, and Ord. No.4513, adopted 5-12-75, as amended, Ord. No.4717, adopted 2-14-77, Ord. No.4513, § 1, amended Ord. No.3171 to allow antique auction houses as a permitted use in a C-3 zone; Ord. No.4513, § 2 defined antique auction houses, but did not specify where such definition was to appear in Ord. No.3171. Ord. No.4717, §§ 1, 2, amended Ord. No.4513 having the substantive effect of re-designating the permitted use as antique and furniture auction house; section 3 of Ord. No.4717 also contained the next to last full paragraph above which did not amend any specific part of Ord. No. 3171. Ord. No.4717 amended Ord. No.3171 to allow an antique and furniture auction house as a permitted use in a 0-2 zone with the definition being the same as the one contained in subsequently enacted Ord. No.4716; the last full paragraph above, however, is a restriction contained in such Ord. No.4716 and applies only to operation in the C-2 zone. The placement and numbering of this section is an exercise of editorial discretion. In addition nonsubstantive wording changes have been made by the editor.

502.006 Apartment hotel: A building or portion thereof used for or containing both individual guest rooms or suites of rooms and dwelling units designed for more or less temporary occupancy.

502.007 Assembly: A joining together of completely fabricated parts to create a finished product.

502.008 Basic manufacture: The first operation or operations which transform a material from its raw state to a form suitable for fabrication.

502.009 **Billboard:** Any notice or advertisement, pictorial or otherwise, with an area of three hundred (300) or more square feet, and also all those used as an outdoor display for the purpose of making anything known, the origin or place of sale or which is not on the plot with such display, except that governmental notices shall not be considered as billboards.

502.010 **Boarding house.** A building other than a hotel, where lodging and meals for five or more persons are served for compensation. A boarding house may also include the dwelling unit occupied by the owner or operator.

502.011 **Building:** Any structure enclosed and isolated by exterior walls constructed or used for residence, business, industry or other public or private purposes, or accessory thereto, and including tents, lunch wagons, dining cars, trailers, free-standing billboards and signs, fences, and similar structures whether stationary or movable.

502.012 **Building line:** A line across a lot establishing the minimum open space to be provided between the buildings and structures and the property line.

502.013 **Building, accessory.** A subordinate building, the use of which is incidental to that of a principal building on the same plot.

502.011. **Building, principal:** A building in which is conducted the principal use of the plot on which it is situated. In any residential district any structure containing a dwelling unit shall be deemed to be the principal building on the plot on which the same is situated.

502.015 **Business District.** Any C-1, C-2, C-3, C-4 or C-5 District.

502.016 **Carport:** Space for the housing or storage of motor vehicles and enclosed on not more than two (2) sides by walls.

502.017 **Church:** A building, together with its accessory buildings and uses, where persons regularly assemble for religious worship, and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to sustain public worship.

502.018 **City:** The City of North Little Rock, Arkansas.

502.019 **Clinic, dental or medical:** A building in which a group of physicians, dentists, or physicians and dentists and allied professional assistants are associated for the purpose of carrying on their profession. The clinic may include a dental or medical laboratory. It shall not include in-patient care or operating rooms for major surgery .

502.020 **Club or lodge:** An association of persons for the .promotion of some nonprofit common object, as literature, science, politics, good fellowship, etc., meeting periodically, 1 limited to members, with not more than one-third of the gross floor area occupied by the use for residential occupancy.

502.021 **Commission:** The North Little Rock Planning Commission.

502.022 **Completely enclosed structure:** A building enclosed by a permanent roof and by solid exterior walls pierced only by windows and customary entrance and exit doors.

502.029 **Concealed light source:** An artificial light intended to illuminate the face of a sign, which light is shielded from public view and from adjoining lots.

502.024 **Corner lot:** A lot which has an interior angle of less than one hundred and thirty-five (135) degrees at the intersection of two (2) street lines. A lot abutting upon a curved street shall be considered a corner lot if the tangents to the curve at the points of intersection of the side lot lines intersect at an interior angle of less than one hundred thirty-five (135) degrees.

502.025 **Detached structure:** A structure having no party or common wall with another structure except an accessory structure.

502.026 **Dwelling unit:** One or more rooms connected together but structurally divided from all other rooms in the same structure and constituting a separate, independent house-keeping unit for permanent residential occupancy, with facilities for sleeping, cooking, and eating; the term does not include hotels, motels, lodging or boarding house or tourist home.

502.027 **Educational institution:** Preprimary, primary, or grammar, public, parochial or private school, high school, preparatory school or academy, public or founded, owned, or conducted by or under the sponsorship of a religious or charitable organization; private preparatory school or academy furnishing courses offered by public high schools for preparation of admission to college or universities which award B.A. or B.S. degrees; junior college, college, or university, public or founded or conducted by or under the sponsorship of a religious or charitable organization; or private when not conducted as a commercial enterprise for the profit of individual owners or stockholders. This definition shall not be deemed to include trade or business schools as defined in this Section.

502.028 **Fabrication:** Manufacturing, excluding the refining or other initial processing of basic raw materials such as metal ores, lumber or rubber. Fabrication relates to stamping, cutting, or otherwise shaping the processed materials into useful objects.

502.029 **Family:** One or more persons who live together in one dwelling unit and maintain a common household, may consist of a single person or of two (2) or more persons, whether or not related by blood, marriage, or adoption.

502.030 **Fixture:** A small structure or part of a structure used by the occupants of the premises for the purpose of containing, holding containers of, or incinerating garbage, trash, and similar waste products, or for landscaping, such as bird baths, ornamental statuary, arbors, rock gardens, monument flagpoles, ornamental lampposts and similar decorative features but not including enclosed buildings.

502.031 ***Fine arts***: Individual art pieces not mass produced consisting of one or more of the following: Paintings, drawings, etchings, sculptures, ceramics, inlays, needlework, knitting, weaving, and/or craftwork: leather, wood, metal or glass.

502.032 ***Flat sign***: Any sign painted on or affixed to a building and which sign does not project more than six (6) inches from such building.

502.0933 ***Flashing sign***: Any sign having a conspicuous and intermittent variation in the illumination of the sign.

502.034 ***Foster family care***: Care and education of not more than four (4) children unrelated to the residents by blood or adoption.

502.035 ***Garage, private***: A detached accessory building or portion of a main building, used for the storage of self-propelled vehicles, or other chattels where the capacity does not exceed three (3) vehicles, or not more than one per family housed in the building to which such garage is accessory, whichever is the greater, and not more than one-third the total number of vehicles stored in such garage shall be commercial vehicles. Storage space for not more than three (3) vehicles may be rented for vehicles of other than occupants of the building to which such garage is accessory.

502.036 ***Garage, parking or storage***: Any building, except one herein defined as a private garage, used exclusively for parking of self-propelled vehicles or other chattels and with not more than three (3) pumps for the incidental sale of gasoline.

502.037 ***Garage, public or repair***: Any premises, except those described as a private or parking garage, used for the storage or care of self-propelled vehicles or other chattels or where any such vehicles are equipped for operation, repaired or kept for remuneration, hire or sale.

502.038 ***Gross floor area***: The sum of the gross horizontal areas of the several floors of a building, including interior balconies and mezzanines. All horizontal dimensions are to be made between the exterior faces of walls, including the walls of roofed porches having more than one wall. The floor area of a building shall include the floor area of accessory buildings, on the same lot, measured the same way.

502.039 ***Ground level***. A horizontal plane passing through the average of the highest and lowest elevation of the ground along that facade of the building or structure which is nearest the street. In the absence of any building or structure, the points shall be located on the front setback line between the two side setback lines (or between the side lot lines, if no side setback is specified in the district) .

502.040 ***Ground sign***: Any sign which is supported or attached directly to the ground by more than one member or pole.

502.041 ***Habitable story***: A story which:

- 1) Has at least 4 feet between the ground level and the ceiling joists;

- 2) Has enough area to provide a habitable room with net floor-to-ceiling distance of seven (7) feet six (6) inches over half the floor area of the room;
- 3) Constitutes a habitable room as defined in the building code.

502.042 **Home occupation or profession:** Any use customarily conducted entirely within a dwelling and carried on by the occupants thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof, and in connection with which there is no display, no stock-in-trade, no outside storage of equipment, or commodity sold upon the premises and not more than two (2) persons are engaged in such occupation. Such uses as barber shop, beauty parlor, tea room, tourist home, animal hospital and dancing school shall not be deemed to be home occupations.

8 502.043 **Hospital:** An institution providing health services, primarily for in-patients, and medical or surgical care of the sick or injured, including as an integral part of the institution, such related facilities as laboratories, out-patient departments, training facilities, central service facilities and staff office.

502.044 **Hotel:** A building containing guest rooms in which lodging is provided with or without meals for compensation, and which is open to transient or permanent guests, or both, and where no provision is made for cooking in any guest room.

502.045 **Illuminated sign:** Any sign designed to emit or brightly reflect artificial light from any source fixed or incidental.

502.046 **Industrial district:** Any 1-1, 1-2, or 1-3 District.

502.047 **Institution for children or the aged:** An establishment providing residence and care for children or the aged.

502.048 **Junk yard, including automobile wrecking..** A lot 8 or part thereof used for the storage, keeping or abandonment of junk, including scrap metal or vehicles or machinery or parts thereof.

502.049 **Kitchen:** Any room appropriated either wholly or partly to cookery.

502.050 **Laboratory:** A building or part of a building devoted to the testing and analysis of any product or animal (including humans). No manufacturing is conducted on the premises except for experimental or testing purposes.

502.051 **Laboratory, medical or dental:** A laboratory which provides bacteriological, biological, medical, x-ray, pathological and similar analytical or diagnostic services to doctors or dentists. No fabricating is conducted on the premises except the custom fabrication of dentures.

502.052 **Legally required window:** All windows required by the municipal building code. In the case of continuous windows whose area exceeds the legal requirements for light and ventilation, any part or parts of such windows may be selected (as "legally required windows." In such case, the center line shall be the center line of the part so selected.

502.059 **Lodging house:** A building or any portion thereof where lodging only is provided for compensation to three (3) or more paying guests, and which does not contain more than twelve (12) sleeping rooms for the accommodation.

502.054 **Lot:** Land occupied or to be occupied by a building and its accessory buildings, or by a dwelling group and its accessory buildings, together with such open spaces as are required under the provisions of this ordinance, having not less than the minimum area and width required by this ordinance for a lot in the district in which such land is situated, and having its principal frontage on a street or on such other means of access as may be determined in accordance with the provisions of law to be adequate as a condition of the issuance of a building permit for a building on such land.

502.055 **Lot, interior:** A lot other than a corner lot.

502.056 **Lot lines:** The lines bounding a lot as defined herein.

502.057 **Lot of record:** A lot which is a part of a subdivision, the map of which has been recorded in the office of the County Recorder of Pulaski County.

502.058 **Lot, through:** An interior lot having frontage on two streets, which do not intersect within the frontage of the lot.

502.059 **Lot width:** The distance generally parallel to the front lot line, measured between side lot lines at the building line.

502.060 **Manufacture:** All operations required to produce the material named.

502.061 **Mid-point:** A point of a boundary line equally distant from the two lot lines intersecting it at right angles or within forty-five (45) degrees of a right angle.

502.062 **Motel or motor hotel:** One or more buildings, each building containing one or more rooms for transient occupancy and having individual entrances catering to the motoring public.

502.063 **Multiple unit dwelling:** A single detached structure structurally divided into two (2) or more separate, independent dwelling units, each dwelling unit having but one kitchen and housing only one of the following groups of persons living together as a single non-profit housekeeping unit :

(1) Any number of persons immediately related by blood, marriage, or adoption or

(2) Five (5) or fewer persons not necessarily related by blood, marriage, or adoption ;
providing, however, that each dwelling unit having an individual outside entrance shall contain at least six hundred (600) square feet of gross floor area.

502.064 **Museum:** A non-profit, non-commercial establishment operated as a repository or a collection of nature, scientific or literary curiosities or objects of interest or works of art, not including the regular sale or distribution of the objects collected.

502.064a ***Non-toxic substances***: In the manufacture of insecticides, pesticides, herbicides, and other such products, non-toxic substances are those which in their foreseeable and normal use do not cause substantial illness or injury and are determined as not being toxic or explosive for industrial uses by the Arkansas State Plant Board. (Ord. No.4527 , § 2, 6-23-75)

Editor's note-The above section is derived from Ord. No.4527 , § 2 adopted 6-23-75; such ordinance amended Ordinance No.3171 (the basic zoning ordinance), but did not purpose to change or create any specific section. Its placement and number are an exercise of editorial discretion; minor wording changes have also been made.

502.065 ***Outdoor commercial advertising device***: A visible structure in any shape or form, the purpose of which is to advertise any product or service, campaign, event.

502.066 ***Parish house***: A residence for a minister, priest or rabbi in connection with the operation of a church.

502.067 ***Parking: Area, public***: An open area, other than a street, used for the temporary parking of two (2) or more automobiles and available for public use, whether free, for compensation or as an accommodation for clients or customers.

502.068 ***Parking space (off-street) one***: A space on private land, accessible from a street or alley, not less than nine (9) feet wide and twenty (20) feet long exclusive of passageways.

502.069 ***Permanent occupancy***: The rental of housing accommodations or rooms on a week to week, month to month, or year to year basis with a fixed rent for each period of occupancy.

502.070 ***Permitted structure***: A structure meeting all the requirements established by this ordinance for the district in which the structure is located.

502.071 ***Permitted use***: Any use listed as a Permitted Use, a Use by temporary permit, a home occupation or an accessory use in any given district.

502.072 ***Pole sign***: Any sign attached to a pole supported by the ground on a pavement or any structure fifteen (15) feet or less in height.

502.079 ***Premises***: A general term meaning part or all of any lot or part or all of any building or structure or group of buildings or structures located thereon.

502.074 ***Pre-school***: Day care and education of five (5) or more children under legal age to attend public or private grammar school.

502.075 ***Processing***: Any operation changing the nature of material or materials such as the chemical composition or physical qualities. Does not include operations described as fabrication.

502.076 **Professional office:** The office of a person engaged in any occupation, vocation or calling, not purely commercial, mechanical or agricultural, in which a professed knowledge or skill in some department of science or learning is used by its practical application to the affairs of others, either advising or guiding them in serving their interest or welfare through the practice of an act founded thereon.

502.077 **Project sign:** Any sign established, maintained or applying to two (2) or more establishments or uses.

502.078 **Projecting sign:** Any sign attached to a building or structure wall and extending outward from such wall more than six (6) inches.

502.079 **Rental room:** A room rented for permanent, not transient residence, as evidenced by a rental charge on a weekly or monthly basis, but not permitted cooking.

502.080 **Residential accommodations:** Any building or part of a building used or intended to be used for sleeping accommodations by a person or group of persons. Other house keeping accommodations also may be provided.

502.081 **Retail:** Sale to the ultimate consumer for direct consumption and not for resale.

502.082 **Roof sign:** Any sign which is erected upon the roof of any building.

502.083 **Room:** Any enclosed division of a building commonly used for living purposes, not including lobbies, halls, closets, storage space, bathrooms, utility rooms and unfinished attics, cellars or basements.

502.084 **Rooming and/ or boarding:** The furnishing of lodging with or without meals for compensation to permanent guests.

502.085 **Rooming and/ or boarding house:** A building containing guest rooms in which lodging is provided with or without meals for compensation and which is open to permanent guests only and where no provision is made for cooking in any guest room.

502.086 **Setback space:** The required distance, and the land resulting therefrom, between a lot line and the closest possible line of a conforming structure.

502.087 **Shop:** A use devoted primarily to the sale of a service or a product or products, but the service is performed or the product to be sold is prepared in its finished form on the premises. (Packaging is not considered to be preparation.)

602.088 **Side line of a lot:** Any boundary of a lot which is neither a front line nor a rear line.

602.089 **Side street:** A street bounding a lot along a lot line which is not within forty-five (45) degrees of parallel with the prevailing front lot line of other lots in the block.

602.090 **Sign:** Any words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, pictures, trade names, or trademarks by which anything is made

known, such as are used to designate an individual, a firm, an association, a corporation, a profession, a business, a service or a commodity or product, which are visible from any public street or right of way and designed to attract attention. "For Sale" and "For Rent" signs shall be deemed signs within the meaning of this definition, but the term "sign" shall not include the flag, pennant or insignia of any nation, state, city or other political unit, or of any political educational, charitable, philanthropic, -civic, professional, religious or like campaign, drive, monument or event, used for a public purpose in the public interest.

502.091 *Single unit dwelling*: A single detached structure having but one kitchen and housing only one (1) of the following groups of persons living together as a single non-profit housekeeping unit :

- (a) any number of persons immediately related by blood, marriage or adoption, or
 - (b) five (5) or fewer persons not necessarily related by blood, marriage, or adoption,
- plus in each of the foregoing instances, domestic servants employed for services on the premises.

502.092 *Storage*: The charging of a consideration for warehousing.

502.098 *Store*: A use devoted exclusively to the retail sale of a commodity or commodities.

502.094 *Story*: That part of a building between the surface of a floor and the ceiling immediately above.

502.095 *Street*: A dedicated and accepted right of way for vehicular traffic which affords the principal means of access to abutting property.

502.096 *Structural feature*: Any part of a structure which is designed for or indicative of the intent to accommodate any given use.

502.097 *Structure*: Anything constructed or erected, the use of which requires location on the ground or attached to something having a location on the ground, but not including fences up to sixty (60) inches in height, or poles and appurtenances thereto used for the provision of public utilities.

502.098 *Tourist home*: One or more buildings, each building containing one or more rooms used only for transient occupancy.

502.099 *Trade or business school*: Secretarial school or college, or business school or college, when not public and not owned or conducted by or under the sponsorship of a religious or charitable organization; school conducted as commercial enterprise for teaching instrumental music, dancing, barbering or hairdressing or for teaching industrial skills in which machinery is employed as a means of instruction. This definition shall not be deemed to include educational institutions as defined in this Section.

502.100 **Trailer camp or court:** Any premises where one or more trailer coaches are parked for living and sleeping purposes, or any premises used or set apart for the purpose of supplying to the public parking space for one or more trailer coaches for living and sleeping purposes, and which includes any buildings, structures, vehicles or enclosure used or intended for use as a part of the equipment of such trailer camp or court.

502.101 **Transient occupancy:** The rental of housing accommodations or rooms on a day to day basis including a daily change of linen and towels with no change in rate based on the period of occupancy.

502.102 **Unobstructed open space:** Land with no structures thereon, except pits for household garbage cans.

502.103 **Use:** The purpose for which land or structures thereon is designed, arranged or intended to be occupied or used, or for which it is occupied, maintained, rented or leased.

502.104 **Uses, nonconforming:** An existing use of land or building which was legal prior to the effective date hereof, but which fails to comply with the regulations set forth in this ordinance applicable to the district in which such use is located.

502.105 **Use, permitted:** A use which is listed as permitted use in any given zone district in this ordinance. Permitted uses are not required to show need for their location.

502.106 **Use by temporary permit.** Listed uses which may be permitted in any given district provided that the need for the use in the district can be established to the satisfaction of the planning commission as herein provided.

502.107 **Wall sign:** Any sign which is painted or otherwise depicted directly upon a wall.

502.108 **Warehousing :** The depositing or securing of goods, wares and merchandise in a warehouse.

502.109 **Wholesale:** Sale for resale, not for direct consumption.

502.110 **Window sign:** Any sign visible through a window and designed to be visible through a window or painted or otherwise affixed to the external surface of a window.

502.111 **Yard:** A space on the same lot with a main building, open, unoccupied and unobstructed by buildings or structures from the ground to the sky, except as otherwise provided in this ordinance.

502.112 **Yard, front:** A yard extending across the full width of the lot, the depth of which shall be the least distance between the front lot line and the nearest point of the main building or of any open, unenclosed porch or paved terrace.

502.119 **Yard, rear:** A yard extending across the full width of the lot between the rearmost main building and the rear lot line, the depth of which shall be the least distance between the rear lot line and the rear of such main building.

502.114 ***Yard, side***: A yard between the main building and the side lot line, extending from the front yard or front lot line where no front yard is required, to the rear yard, the width of which shall be the least distance between the side lot line and the nearest point of the main building.

Sec 118-1 Use Chart

DIVISION 1. REGULATIONS APPLICABLE TO SPECIFIC DISTRICTS

Subdivision I. General Provisions

Sec. 118-28. Limitation of external uses in certain districts.

- (a) This section shall apply to all residential zones, R-1, R-2, R-3, R-4, R-5 and R-6, and to commercial zone C-1.
- (b) Limitation of external uses in such zones shall be as follows. Within not more than two years from the date on which the following provisions become effective, every use shall be made to comply with the following limitations:
 - (1) No highly flammable or explosive liquids, solids or gasses shall be stored on any lot, except as required directly for and as part of any heating devices or appliances, on the same lot.
 - (2) All outdoor storage facilities for fuel, raw materials and products permitted as a part of a dwelling or C-1 commercial use shall be enclosed by a fence, wall or screen adequate to conceal such facilities from adjacent property.
 - (3) No materials or wastes shall be deposited upon a lot in such form or manner that they may be transferred off the lot by normal, natural causes or forces.
 - (4) All materials or wastes incidental to any permitted or legal nonconforming use which might cause fumes or dust or which constitute a fire hazard, or which may be edible by or otherwise be attractive to rodents or insects, shall be stored outdoors only in closed containers.

(Ord. No. 3171, § 701.2, 3-26-62)

Sec. 118-29. Permitted encroachments on setback spaces in certain districts.

- (a) Permitted encroachments on setback spaces in residential zones R-1, R-2, R-3, R-4, R-5 and R-6, and commercial zone C-1, are as provided in subsection (b) of this section.
- (b) Cornices, eaves, gutters, stoops, steps, belt courses, sills, lintels and contrivances attached to the structures but not having contact with the ground, for the purposes of controlling sunlight entering the building, may project not more than 2 1/2 feet into any setback space and shall not be considered a violation of the required setback.

(Ord. No. 3171, § 701.5, 3-26-62)

Sec. 118-30. Exception from lot coverage and setback requirements for fallout or air raid shelters.

Where the owners of any property wish to construct a fallout or air raid shelter for the protection of persons living within a permitted structure, the shelter being above ground or below ground, they should present a sketch of the proposed shelter to the planning commission staff for their approval, and, for the purposes of these regulations, such shelters shall not be considered in violation of lot coverage, or rear yard setbacks. In all other cases, proposals for fallout or air raid shelters shall be submitted to the planning commission for their approval, with a request for variance of any regulation, setback or other requirement of these regulations, and each such presentation shall be considered on its merits, in the light of the purpose and intent of these regulations, except that required side yards may be encroached upon by underground shelters to a minimum of two feet from side lot lines. All entryways or appurtenances thereto, except approved vent pipes which pierce the ground surface, must be in compliance with the required setback spaces.

(Ord. No. 3171, § 701.6, 3-26-62)

Secs. 118-31--118-57. Reserved.

Subdivision II. Residential Districts

Sec. 118-58. Home occupations.

In residential zones R-2, R-3, R-4, R-5, R-6, and other zones as provided in this chapter, all home occupations operated in a single-unit dwelling shall be considered a single unit which unit may be operated only if it complies with all of the following conditions:

- (1) Is operated in its entirety within the single-unit dwelling and only by the person or persons maintaining a dwelling therein.
- (2) Does not have a separate entrance from outside the building.
- (3) Does not display or create outside the building any external evidence of the operation of the home occupation, except, for each street front of the lot on which the building is located, one unanimated, flat sign having a displayed surface area of not more than two square feet giving notice of the service offered, but not advertising any product.
- (4) Does not utilize more than 20 percent of the gross floor area, but not to exceed 300 square feet, in the single-unit dwelling; provided, however, that this limitation shall not apply to foster family care.
- (5) Does not have any employees or regular assistants not residents in the single-unit dwelling.
- (6) Is limited to the use of electric motors for power with a total limitation of three horsepower for all motors.

(Ord. No. 3171, § 701.3, 3-26-62)

Sec. 118-59. Exceptions to lot width, lot area and setback requirements.

- (a) ***Applicability.*** This section shall apply to residential zones R-1, R-2, R-3, R-4, R-5 and R-6.
- (b) ***Exceptions to lot width and area requirements.*** On a lot of record shown on a plat or deed recorded prior to March 26, 1962, or where the lot is adjoined on both sides with lots with structures thereon or on a lot adjoined on one side by a street and on the other by a lot with a structure thereon, the minimum lot width at the building line and minimum lot area may be waived by the planning commission staff, providing that the intended structure is in full compliance with all other requirements of this chapter. In no case, however, shall a lot width of less than 40 feet be permitted or a lot area of less than 4,800 square feet be permitted, except in an R-5 area a lot width of not less than 20 feet

and a lot area of not less than 2,500 square feet may be permitted when utilized for terrace or row housing.

- (c) ***Exceptions to setback requirements.*** Where lots comprising 40 percent or more of the frontage of any block have structures thereon having an average front yard with a variation in depth of not more than 16 feet, no building hereafter erected or structurally altered shall project beyond the average front yard setback thus established, provided further that this regulation shall not be interpreted as to require a front yard of more than 75 feet, and provided further that in case of a subdivision approved by the city planning commission with a front building line less than that required by zones R-1, R-2, R-3, R-4, R-5 and R-6 then the requirements of zones R-1, R-2, R-3, R-4, R-5 and R-6 shall be waived and said recorded building line shall be accepted.

(Ord. No. 3171, § 701.4, 3-26-62)

Sec. 118-60. Construction of structure on more than one lot.

- (a) Notwithstanding anything to the contrary in this chapter or in the subdivision regulations, one structure may be built on more than one lot without the necessity of a replat of lot boundary lines and in such circumstances as to waive the setback requirements as they pertain to the interior lot lines. No such waiver or replat is valid without prior planning commission approval.
- (b) The provisions of subsection (a) of this section only apply to the R-1, R-2 and R-3 districts.

(Ord. No. 5034, §§ 1--3, 12-10-79; Ord. No. 5572, §§ 1--4, 9-26-83)

Sec.118-61. R-0 Single-Family Medium-Density District.

- (a) **Description of district.** The R-0 single-family medium-density district is composed of single-family medium-density areas of the city, plus certain open areas where similar residential developments appear likely to occur. The regulations for this district are designated to encourage controlled medium-density single-family dwellings at prices affordable to a large percentage of the area's population. The regulations are also provided to stabilize and protect the essential characteristics of the district and to promote orderly planning and development of land uses by prohibiting all activities of a commercial nature in this district, except certain prescribed home occupations controlled by specific regulations, plus certain uses which are adjunct to residential areas, such as schools, parks, churches and certain public facilities.
- (b) **Limitation of external uses in such zones shall be as follows.** Within not more than two years from the date on which the following provisions become effective, every use shall be made to comply with the limitation of external uses listed in the general provisions (section 118-28).
- (c) **Permitted structures.** Each lot shall have at least one front property line and shall be occupied by only one principal structure which shall be a single-family dwelling unit or other permitted use structure, and such accessory buildings as are clearly incidental and normal to the permitted use and operated and maintained by the owner of the lot; provided, however, that no accessory building shall be a residence.
- (d) **Permitted uses.** In the R-0 district only those uses specified under R-6 in the list of permitted uses, section 118-1 of these regulations, will be permitted, except that the following home occupations will be permitted, providing they comply fully with the limitations on home occupations as specified in the general provisions (section 118-58):
 - (1) Custom dressmaking, millinery, tailoring, sewing of fabric for custom apparel and custom home furnishings.
 - (2) Laundering and pressing.
 - (3) Office (any office in which goods, wares or merchandise are not created, exchanged or sold).
 - (4) Tutoring (not more than four students at a time).
 - (5) Fine arts studio in which are created only individual works of art.
- (e) **Dimensional requirements.** The lot for each residential structure shall comply with the following dimensional requirements:

- (1) **Minimum lot width.** Each interior lot shall be not less than 40 feet wide at the front building line.
- (2) **Corner lot.** Each structure located on a corner lot must provide for a side street building line setback of 15 feet. (In clarification, this may require some corner lots to have frontage wider than the 40-foot minimum to accommodate the required side street building line setback and the ten-foot separation between residential structures.)
- (3) **Lot area.** The lot area shall not be less 4,000 square feet and shall provide not less than 50 percent of the lot as unobstructed open space.
- (4) **Minimum front yard.** All structures shall be set back a distance of not less than 30 feet from the front property line on residential and collector roadways. A setback of 35 feet is required on minor arterials and 40 feet on principal arterials or other classifications.
- (5) **Minimum side yards.** Only one side yard is required on each lot. The minimum required side yard width shall not be less than ten feet; except that any side yard abutting a street (the side building line) shall be at least 15 feet in width.
- (6) **Minimum rear yard.** There shall be a rear yard having a depth of not less than 25 feet.
- (7) **Maximum height.** No building shall exceed 2 1/2 stories or 35 feet in height.
- (8) **Maximum size of accessory buildings.** The dimension of all accessory buildings shall not exceed 150 square feet.
- (9) **Location of accessory buildings.** No accessory building shall be located on any required front or side yard, or within five feet of any lot line. Fences up to 96 inches in height may be erected along any boundary of the side yard or rear yard from the rear of the lot forward to the rear of the main structure. A fence 60 inches in height may be erected along the side yards from the rear of the main structure forward to the front building line. Any fence or screen constructed in the required front yard must have board of adjustment approval as to location, height, material and construction.
- (10) **Minimum size of dwelling unit.** The minimum size (gross floor area) of single-family dwelling units shall not be less than 600 square feet of interior heated and cooled living space.

- (11) **Off-street parking.** Each dwelling unit shall provide at least two off-street paved parking spaces. (This requirement is recognized as being more restrictive and greater than the requirements listed in section 118-178, Off-street parking requirements.)
 - (12) **Corner visibility.** On a corner lot, within the areas formed by the right-of-way lines of intersecting streets and a line joining points on such right-of-way lines at a distance of 25 feet from their intersection, there shall be no obstruction to vision between a height of two feet and a height of ten feet above the average grade of each street at the centerline thereof, except that street name signs, fire hydrants, street lighting poles and associated fixtures thereto shall be permitted within this area.
 - (13) **Maintenance easement.** A five-foot maintenance easement is required on the abutting lot to the zero lot side.
 - (14) **Encroachments.** No encroachment (eaves or otherwise) shall be allowed across the zero lot line side onto abutting lots.
- (f) **Amendments to Control of Development/Subdivision Regulations.** The regulations presented in the R-0 zone require several amendments to the Control of Development/Subdivision Regulations as follows:
- (1) The zero lot line residential lots description in the Control of Development and Subdivision Regulations section 7.13.2.2 is revised to state that such lots shall be not less than 40 feet rather than the current 50 feet.
 - (2) Section 7.13.7 requiring a 75-foot width on corner lots is revised adding the following sentence: "R-0 zones allow corner lots requiring a 15-foot side street setback."
- (g) **Additional clarification.** This chapter includes R-5 as row house developments with 20-foot wide lots. The proposed R-0 zero lot line zone allows residential structures abutting one side property line only.

(Ord. No. 3171, § 702.1-6, 3-26-62; Ord. No. 6378, § 1, 11-13-78)

R-0 Allowed Uses

Athletic Fields, City Property
Athletic Fields, Private Property
Ball Field
Churches and Sunday School Buildings
City Buildings
Community Centers
Daycare center
Fallout Shelters
Forest Land
Government Buildings
Parish House
Parking Lots, Private
Parks, Public
Parochial School
Playgrounds, Public
Recreation Centers, Public
Residence, One (1) Family
Schools, Parochial
Schools, Physically Handicapped
Social Centers
Syrup and Preserve Manufacturing
Tennis Courts, Public
United States Government Offices

Sec. 118-62. R-1 Single-Family District.

- (a) **Description of district.** The R-1 single-family district is composed exclusively of single-family low-density residential areas plus certain open areas where similar residential developments appear likely to occur. The regulations for the R-1 district are designated to promote and encourage a suitable environment for family life, and to promote orderly planning and development of land uses by prohibiting all activities of a commercial nature in this district. Public and private parks and schools are permitted within the district provided that they serve the residents of the district and further provided that they are a part of a planned development unit approved by the planning commission. Home occupations listed below are permitted (subsection (d) of this section).
- (b) **Limitations of external uses.** Within not more than two years from the date on which the following provisions become effective, every use shall be made to comply with the limitations of external uses outlined in the general provisions (section 118-28).
- (c) **Permitted structures.** Each lot shall have at least one front property line and shall be occupied only by one single-family dwelling structure and such accessory buildings as are clearly incidental and normal and operated and maintained by the owner of the lot, provided, however, that it shall not be a residence.
- (d) **Permitted uses.** In the R-1 district only those uses specified under R-1 in the list of permitted uses, section 118-1 of these regulations, will be permitted, except that the following home occupations will be permitted providing that they comply fully with the limitations on home occupations as specified in the general provisions (section 118-58):
 - (1) Foster family home (not more than four children simultaneously).
 - (2) Office (any office in which chattels or goods, wares or merchandise are not created, exchanged or sold.)
 - (3) Tutoring (not more than four students simultaneously.)
- (e) **Dimensional requirements.** The lot for each structure shall comply with the following dimensional area requirements:
 - (1) **Lot width.** Each lot shall be not less than 60 feet wide at the front building line.
 - (2) **Lot area.** The lot area shall be not less than 7,200 square feet, and shall provide not less than 50 percent of the lot area as unobstructed open space.

- (3) **Minimum front yard.** All structures shall be set back a distance of not less than 25 feet from the front property line or as required in other ordinances, whichever is greater.
- (4) **Minimum yards.** There shall be two side yards to each lot; the minimum required side yard shall be not less than ten percent of the width at the front building line, but in no case shall it be less than six feet, with eight feet the maximum required, except that any side yard abutting a street shall be at least 15 feet, unless under the master street plan, as existing or amended, or other ordinances a greater setback is required for the purpose of street widening or for other reasons. However, in those instances where lot size would mandate the maximum side yard setbacks, the landowner may elect to reduce the size of one side yard, provided the other side yard is increased by the same amount and provided, further, that the reduced side yard meets the minimum size requirement set forth hereinabove.
- (5) **Minimum rear yard.** There shall be a rear yard having a depth of not less than 25 feet.
- (6) **Maximum height.** No building hereafter erected or structurally altered shall exceed 2 1/2 stories or 35 feet in height.
- (7) **Location of accessory buildings.** No accessory buildings shall be located on any required front or side yard or within five feet of any lot line, that is not a street line. Fences up to 96 inches in height may be erected along any boundary of the side yards or rear yard from the rear of the lot forward to the rear of the main structure. A fence 60 inches in height may be erected along the side yards from the rear of the main structure forward to the front building line. Any fence or screen constructed in the required front yard must have planning commission approval as to location, height, material and construction.
- (8) **Minimum size of single-unit dwelling.** Each single-unit dwelling shall contain a gross floor area of not less than 800 square feet, excluding porches, steps and carports.
- (9) **Off-street parking.** Each single-family lot shall provide at least one off-street parking space. The provisions of section 118-178, Off-street parking requirements shall be in full force and effect in the R-1 district.
- (10) **Corner visibility.** On a corner lot, within the areas formed by the right-of-way lines of intersecting streets and a line adjoining points on such right-of-way lines at a distance of 25 feet from their intersection, there shall be no obstruction to vision between a height of two feet and a height of ten feet above the average grade of each street at the centerline thereof, except

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that street name signs, fire hydrants, street lighting poles and associated appurtenances thereto shall be permitted within this area.

(Ord. No. 3171, § 702.1-1, 3-26-62; Ord. No. 3297, § 1, 5-27-63; Ord. No. 6349, § 1, 8-14-89)

R-1 Allowed Uses

Athletic Fields, Private Property
Ball Field
Fallout Shelter
Forest Land
Parish House
Parking Lots, Private
Parks, Public
Parochial Schools
Playgrounds, Public
Residence, One-Family
Schools, Health, Gymnastic, Private
Schools, Physically Handicapped
Social Centers
Swimming Pools, Public
Tennis Courts, Public

Sec. 118-63. R-2 single-family district.

- (a) **Description of district.** The R-2 single-family district is composed of single-family low-density residential areas of the city, plus certain open areas where similar residential development appears likely to occur. The regulations for this district are designated to stabilize and protect the essential characteristics of the district, to promote and encourage a suitable environment for family life, and to promote orderly planning and development of land uses by prohibiting all activities of a commercial nature in this district. Public and private parks and schools are permitted within the district provided that they serve the residents of the district and further provided that they are a part of a planned development unit approved by the planning commission. Home occupations listed below are permitted (subsection (d) of this section).
- (b) **Limitation of external uses.** Within not more than two years from the date on which the following provisions become effective, every use shall be made to comply with the limitation of external uses listed in the general provisions (section 118-28).
- (c) **Permitted structures.** Each lot shall have at least one front property line and shall be occupied only by one single-family dwelling structure and such accessory buildings as are clearly incidental and normal and operated and maintained by the owner of the lot, provided, however, that it shall not be a residence.
- (d) **Permitted uses.** In the R-2 district only those uses specified under R-2 in the list of permitted uses, section 118-1 of these regulations, will be permitted, except that the following home occupations will be permitted providing that they comply fully with the limitations on home occupations as specified in the general provisions (section 118-58):
 - (1) Custom dressmaking, millinery, tailoring, sewing of fabric for custom apparel and custom home furnishings.
 - (2) Foster family home (not more than four children simultaneously).
 - (3) Office (any office in which chattels or goods, wares or merchandise are not created, exchanged or sold).
 - (4) Tutoring (not more than four students simultaneously).
 - (5) Fine arts studio in which are created only individual works of art.
- (e) **Dimensional requirements.** The lot for each structure shall comply with the following dimensional area requirements:

- (1) **Lot area.** The lot area shall be not less than 7,200 square feet, and shall provide not less than 50 percent of the lot area as unobstructed open space.
- (2) **Lot width.** Each lot shall be not less than 60 feet wide at the front building line.
- (3) **Minimum front yard.** All structures shall be set back a distance of not less than 25 feet from the front property line or as required in other ordinances, whichever is the greater.
- (4) **Minimum side yards.** There shall be two side yards to each lot; the minimum required side yard shall be not less than ten percent of the width at the front building line, but in no case shall it be less than six feet, with eight feet the maximum required, except that any side yard abutting a street shall be at least 15 feet, unless under the master street plan, as existing or amended, or other ordinances a greater setback is required for the purpose of street widening or for other purposes. However, in those instances where lot size would mandate the maximum side yard setbacks, the landowner may elect to reduce the size of one side yard, provided the other side yard is increased by the same amount and provided, further, that the reduced side yard meets the minimum size requirement set forth hereinabove.
- (5) **Minimum rear yard.** There shall be a rear yard having a depth of not less than 25 feet.
- (6) **Maximum height.** No building hereafter erected or structurally altered shall exceed 2 1/2 stories or 35 feet in height.
- (7) **Location of accessory buildings.** No accessory building shall be located on any required front or side yard or within five feet of any lot line, that is not a street line. Fences up to 96 inches in height may be erected along any boundary of the side yards or rear yard from the rear of the lot forward to the rear of the main structure. A fence 60 inches in height may be erected along the side yards from the rear of the main structure forward to the front building line. Any fence or screen constructed in the required front yard must have planning commission approval as to location, height, material and construction.
- (8) **Minimum size of single-unit dwelling.** Each single-unit dwelling shall contain a gross floor area of not less than 700 square feet, excluding porches, steps and carports.
- (f) **Off-street parking.** Each single-family lot shall provide at least one off-street parking space. The provisions of section 118-178, Off-street parking requirements, shall be in full force and effect in this district.

- (g) ***Corner visibility.*** On a corner lot, within the areas formed by the right-of-way lines of intersecting streets and a line joining points on such right-of-way lines at a distance of 25 feet from their intersection, there shall be no obstruction to vision between a height of two feet and a height of ten feet above the average grade of each street at the centerline thereof, except that street name signs, fire hydrants, street lighting poles and associated appurtenances thereto shall be permitted within this area.

(Ord. No. 3171, § 702.1-2, 3-26-62; Ord. No. 6349, § 1, 8-14-89)

R-2 Allowed Uses

Athletic Fields, Private Property
Ball Field
Churches and Sunday School Building
Community Centers
Country Clubs
Fallout Shelter
Forest Land
Golf Clubs, Private
Parish House
Parking Lots, Private
Parks, Public
Parochial Schools
Playgrounds, Public
Recreation Centers, Public
Residence, One - Family
Residence, Two - Family
Schools, Parochial
Social Centers
Swimming Pools, Public
Synagogue
Tennis Courts, Public

Sec. 118-64. R-3 Two-Family district.

- (a) **Description of district.** The R-3 district is composed mainly of areas containing single- and two-family dwellings plus certain open areas of the city where similar development appears likely to occur. It is intended for quiet, low-density family living, with a good environment for bringing up children, and to prohibit all commercial activities except certain prescribed home occupations controlled by specific regulations, plus certain uses which are adjunct to residential areas, such as schools, parks, churches and certain public facilities.
- (b) **Limitation of external uses.** Within not more than two years from the date on which the following provisions become effective, every use shall be made to comply with the limitation of external uses listed in the general provisions (section 118-28).
- (c) **Permitted structures.** Each lot shall have at least one front property line and shall be occupied by only one principal structure which may be a single- or a two-family dwelling structure or other permitted use structure, and such accessory buildings as are clearly incidental and normal and are operated and maintained by the owner of the lot, provided, however, that it shall not be a residence.
- (d) **Permitted uses.** In the R-3 district only those uses specified under R-3 in the list of permitted uses, section 118-1 of these regulations, will be permitted, except that the following home occupations will be permitted providing they comply fully with the limitations on home occupations as specified in the general provisions (section 118-58):
 - (1) Custom dressmaking, millinery, tailoring, sewing of fabric for custom apparel and custom home furnishings.
 - (2) Laundering, pressing.
 - (3) Foster family home (not more than four children simultaneously).
 - (4) Office (any office in which chattels or goods, wares or merchandise are not created, exchanged or sold).
 - (5) Fine arts studio in which are created only individual works of art.
 - (6) Tutoring (not more than four students simultaneously).
 - (7) Rooming or boarding of not more than two persons.
- (e) **Dimensional requirements.** The lot for each structure shall comply with the following dimensional area requirements:

- (1) ***Lot width.*** Each lot shall be not less than 60 feet wide at the front building line.
- (2) ***Lot area.*** The lot area for a single-family structure shall be not less than 7,200 square feet, and the lot area for a two-family structure shall be not less than 3,500 square feet per family and in both cases shall provide not less than 50 percent of the lot area as unobstructed open space.
- (3) ***Minimum front yard.*** All structures shall be set back a distance of not less than 25 feet from the front property line or as required in other ordinances, whichever is the greater.
- (4) ***Minimum side yards.*** There shall be two side yards to each lot; the minimum required side yard shall be not less than ten percent of the width at the front building line, but in no case shall it be less than six feet, with eight feet the maximum required, except that any side yard abutting a street shall be at least 15 feet, unless under the master street plan, as existing or amended, or other ordinances a greater setback is required for the purpose of street widening or for other reasons. However, in those instances where lot size would mandate the maximum side yard setbacks, the landowner may elect to reduce the size of one side yard, provided the other side yard is increased by the same amount and provided, further, that the reduced side yard meets the minimum size requirement set forth hereinabove.
- (5) ***Minimum rear yard.*** There shall be a rear yard having a depth of not less than 25 feet.
- (6) ***Maximum height.*** No building hereafter erected or structurally altered shall exceed 2 1/2 stories or 35 feet in height.
- (7) ***Location of accessory buildings.*** No accessory building shall be located on any required front or side yard or within five feet of any lot line, that is not a street line. Fences up to 96 inches in height may be erected along any boundary of the side yards or rear yard from the rear of the lot forward to the rear of the main structure. A fence 60 inches in height may be erected along the side yards from the rear of the main structure forward to the front building line. Any fence or screen constructed in the required front yard must have planning commission approval as to location, height, material and construction.
- (8) ***Minimum size of single-unit dwelling.*** Each single-unit dwelling shall contain a gross floor area of not less than 600 square feet, excluding porches, steps and carports.

- (f) ***Off-street parking.*** Each dwelling unit shall provide at least one off-street parking space. The provisions of section 118-178, Off-street parking requirements, shall be in full force and effect in this district.
- (g) ***Corner visibility.*** On a corner lot, within the areas formed by the right-of-way lines of intersecting streets and a line joining points on such right-of-way lines at a distance of 25 feet from their intersection, there shall be no obstruction to vision between a height of two feet and a height of ten feet above the average grade of each street at the centerline, except that street name signs, fire hydrants, street lighting poles and associated appurtenances thereto shall be permitted within this area.

(Ord. No. 3171, § 702.1-3, 3-26-62; Ord. No. 6349, § 1, 8-14-69)

R-3 Allowed Use

Athletic Fields, Private Property

Ball Field
Child Care Center and Play School
Churches and Sunday School Buildings
City Building
College, Private
College, Public
Comfort Station
Community Centers
Convents
County Buildings
Dormitory Buildings Institutional
Fallout Shelter
Forest Land
Fraternity Houses
Golf Clubs, Private
Government Buildings
Kindergarten
Libraries, Private, Rental
Libraries, Public
Nursery Schools (Child)
Nursing Homes
Parish House
Parking Lots, Private
Parks, Public
Parochial Schools
Playgrounds, Public
Pool - Swimming, Public
Pool - Swimming, Private, Commercial
Recreation Centers, Public
Residence, One - Family
Residence, Two - Family
Schools, Kindergarten
Schools, Parochial
Schools, Physically Handicapped
Social Centers
Swimming Pools, Commercial
Swimming Pools, Public
Synagogue
Tennis Courts, Public
Two - Family Dwelling
United States Government Offices

Sec. 118-65. R-4 Multifamily District.

- (a) **Description of district.** The R-4 multifamily district is composed of multifamily or apartment residences, but includes single- and two-family structures plus certain open areas of the city where such residential development is likely to occur. The regulations for this district are designed to protect the residential character of the areas by prohibiting commercial uses, to promote a neighborhood environment suitable for family life, and to maintain openness to areas. Certain prescribed home occupations are permitted, plus certain uses which are adjunct to residential areas, such as schools, parks, churches and certain public and quasipublic facilities.
- (b) **Limitation of external uses.** Within not more than two years from the date on which the following provisions become effective, every use shall be made to comply with the limitation of external uses listed in the general regulations (section 118-28).
- (c) **Permitted structures.** Each lot shall have at least one front property line and shall be occupied by only one principal structure, which may be a multifamily, two-family or single-family dwelling structure or other permitted use structures and such accessory buildings as are clearly incidental and normal and are operated and maintained by the owner of the lot, provided, however, that it shall not be a residence.
- (d) **Permitted uses.**
 - (1) In the R-4 district only those uses specified under R-4 in the list of permitted uses, section 118-1 of these regulations, will be permitted, except that the following home occupations will be permitted providing they comply with the limitations on home occupations as specified in the general provisions (section 118-58):
 - a. Custom dressmaking, millinery, tailoring, sewing of fabric for custom apparel and custom home furnishings.
 - b. Laundering, pressing.
 - c. Foster family home (not more than four children simultaneously).
 - d. Office (any office in which chattels or goods, wares or merchandise are not created, exchanged or sold).
 - e. Tutoring (not more than four students simultaneously).
 - f. Fine arts studio in which are created only individual works of art.

- (2) Residential condominiums shall be constructed and operated pursuant to the Horizontal Property Act (A.C.A. § 18-13-101 et seq.). Architectural plans, including elevations, site plans and landscape plans shall be as approved by the planning commission. No major changes in the location of buildings, elevations, drainage, streets or setbacks as shown on the approved plans may be made without the approval of the planning commission.
- (e) **Dimensional requirements.** The lot for each structure shall comply with the following dimensional area requirements:
 - (1) **Lot width.** Each lot shall be not less than 60 feet wide at the front building line.
 - (2) **Lot area.** The lot area for a single-family structure shall be not less than 7,200 square feet, and for a two-family structure shall be not less than 3,500 square feet per family, and for a multifamily structure shall be not less than 3,600 square feet each for the first three dwellings in the multifamily structure plus 1,200 square feet for each additional dwelling unit below four stories. If the structure is four stories or more, for each dwelling unit in addition to the first three, 600 square feet per unit shall be added. In all cases, not less than 50 percent of the lot area shall be provided as unobstructed open space.
 - (3) **Minimum front yard.** All primary structures shall be set back a distance of not less than 25 feet from the front property line or as required in other ordinances, whichever is the greater; provided, however, that where the height exceeds 45 feet the front yard setback distance shall be increased one foot for each increment of two feet in increased structure height above 45 feet up to the maximum height permitted.
 - (4) **Minimum side yards.** For a single- and two-family structures there shall be two side yards to each lot; the minimum required side yard width shall not be less than ten percent of the lot width at the front building line but in no case shall it be less than six feet, except that any side yard abutting a street shall be at least 15 feet, unless under the master street plan, as existing or amended, or other ordinances a greater setback is required for the purpose of street widening or for other reasons. For multifamily and other permitted use structures there shall be a side yard on each side of the structure of not less than ten feet. For buildings more than 45 feet or three stories in height the side yard, in addition to complying with the preceding requirements, shall add one foot for each additional five feet in height above 45 feet.
 - (5) **Minimum rear yard.** There shall be a rear yard having a depth of not less than 25 feet, and for structures more than 45 feet or three stories in

height, in addition to complying with the preceding requirements, one foot shall be added for each increment of two feet in increased structure height above 45 feet up to the maximum permitted height.

- (6) **Maximum height.** No building hereafter erected or structurally altered shall exceed three stories or 45 feet in height, provided, however, that where the provisions of the yard requirements and additions thereto are complied with, the building may be increased in height, provided that no building shall exceed a height of 90 feet.
- (7) **Location of accessory buildings.** No accessory buildings shall be located on any required front or side yard, or within five feet of any lot line, that is not a street line. Fences up to 96 inches in height may be erected along any boundary of the side yards or rear yard from the rear of the lot forward to the rear of the main structure. A fence 60 inches in height may be erected along the side yards from the rear of the main structure forward to the front building line. Any fence or screen constructed in the required front yard must have planning commission approval as to location, height, material and construction.
- (8) **Minimum size of single-unit dwelling.** Each unit shall contain a gross floor area of not less than:
 - a. Single-family, 600 square feet;
 - b. Two-family, 600 square feet; and
 - c. Apartments, efficiency, 240 square feet, other apartments, 350 square feet.
- (f) **Off-street parking.** Each dwelling unit shall provide at least one off-street parking space. The provisions of section 118-178, Off-street parking requirements, shall be in full force and effect in this district.
- (g) **Corner visibility.** On a corner lot, within the areas formed by the right-of-way lines of intersecting streets and a line joining points on such right-of-way lines at a distance of 25 feet from their intersection, there shall be no obstruction to vision between a height of two feet and a height of ten feet above the average grade of each street at the centerline thereof, except that street name signs, fire hydrants, street lighting poles and associated appurtenances thereto shall be permitted within this area.

(Ord. No. 3171, § 702.1-4, 3-26-62; Ord. No. 4056, § 1, 4-24-72; Ord. No. 5013, § 1, 10-8-79)

R-4 Uses

Apartment Hotels
Apartments
Athletic Fields, City Property
Athletic Fields, Private Property
Ball Field
Blind People's Home, Private
Blind People's Home, Public
Boarding House
Churches and Sunday School Buildings
City Buildings
College, Private
College, Public
Comfort Station
Community Centers
Convents
County Buildings
Dormitory Buildings, Institutional
Fallout Shelter
Fire Station
Flats (Five (5) or more Families)
Forest Land
Fraternity Houses
Furnished Rooms
Golf Clubs, Private
Government Buildings

Sec. 118-66. R-5 Group or Terrace Housing District.

- (a) ***Description of district.*** The R-5 group or terrace housing district is intended for a planned development area of not less than one-half of the previously platted block under consideration or 35,000 square feet, whichever is the largest.
- (b) ***Purpose of designation procedure.*** Under the standard provisions of this chapter a separate ground area, referred to in this chapter as the lot, may be designated, provided and continuously maintained for a structure or portion of a structure. Pursuant to the procedure hereinafter set forth several lots may be combined into one special plan covering a planned building group. The procedure is intended to permit diversification in the location of residential structures and to improve circulation facilities and other site qualities while ensuring adequate standards relating to public health, safety, welfare and convenience in the use and occupancy of buildings and facilities in planned building groups and to permit the construction of low-cost private housing of good standards and quality.
- (c) ***Limitations on designation procedure.*** The procedure hereinafter set forth shall not waive thereby any regulations for any district except the regulation that a separate ground area, herein called the lot, may be designated, provided and continuously maintained for a structure or portion of a structure when separately owned from the other structures or portion of a structure. The designation of any area as R-5 may be accomplished as provided in this chapter, in an action started by the planning commission, or upon application by interested parties, prior to the submission and approval of a special plan for the development of terrace and row housing. A zoning certificate may not be issued until such special plan is approved by the planning commission.
- (d) ***Application for approval.*** All applications for approval of a special plan hereunder shall be filed with the planning commission by the owner or owners of the entire land area to be included within the special plan, the owner or owners of all structures then existing on said land area and all incumbrancers of said land area and structures; shall contain sufficient evidence to establish that the applicants are the owners and all the incumbrancers of the designated land and structures; shall contain such information and representations required by this chapter as are deemed necessary by the commission; and shall include plats and plans showing at least the following details drawn to scale:
 - (1) The land area which would be included within the special plan, the present zoning classification of the designated area, the land area of all abutting districts and the present zoning classification thereof, all public and private rights-of-way and easements bounding and intersecting the designated area and the abutting districts which are proposed to be continued, created, relocated and/or abandoned, and the proposed finished grade of the designated area, shown in contour intervals of not to exceed two feet;

- (2) A description of the proposed lot and the boundaries thereof;
 - (3) The location of each existing and proposed structure in the designated area, the use or uses to be contained therein, the number of stories, gross floor area and approximate location of entrances and loading points thereof;
 - (4) The location of all outside facilities for waste disposal;
 - (5) All curb cuts, driving lanes, parking areas, loading areas, public transportation points and illumination facilities for the same;
 - (6) All pedestrian walks, malls, courts, parks, playgrounds and open areas for use by residents or members of the public;
 - (7) The location and height of all walls, fences and screen planting;
 - (8) The types of surfacing, such as paving, turfing or gravel, to be used at the various locations;
 - (9) The location of fire hydrants;
 - (10) The gross floor area for residences;
 - (11) The net residential density.
- (e) ***Site facilities.*** All special plans hereunder shall make due provisions for:
- (1) Adequate design of grades, paving, gutters, drainage and treatment of turf to handle stormwaters, and prevent erosion and the formation of dust;
 - (2) Design of streets as follows: All buildings in an R-5 zone shall abut or have access to a dedicated street. All streets shall be accepted pursuant to the provisions of the city subdivision regulations, except the commission may waive the minimum width of 50 feet right-of-way and the pavement from 27 feet back of curb to back of curb. All culs-de-sac shall have an 80-foot-diameter paved area in order to accommodate emergency vehicles;
 - (3) Adequate, safe and convenient arrangement of pedestrian circulation facilities, roadways, driveways, off-street parking and loading space, facilities for waste disposal and illumination;
 - (4) Adequate amount and proper location of pedestrian walks, malls, courts and landscaped spaces to prevent pedestrian use of vehicular ways and

parking spaces and to separate pedestrian walks, malls, courts and public transportation loading places from general vehicular circulation facilities;

- (5) Arrangement of buildings, vehicular circulation and open spaces so that pedestrians moving between buildings are not unnecessarily exposed to vehicular traffic;
 - (6) Proper arrangement of lighting devices with respect to traffic control devices and adjacent residential districts;
 - (7) An adequate amount and safe location of play areas for children and other recreational areas according to the concentration of occupancy.
- (f) ***Minimum spacing between buildings; orientation of main window exposures and entrances.*** The following required spacing between buildings shall be measured perpendicularly from any exterior wall exposing windows or an entranceway; it does not apply in corner-to-corner placement of buildings where perpendicular wall exposures do not overlap.
- (1) In buildings containing multiple dwelling units, walls containing main window exposures or main entrances shall be so oriented as to ensure adequate light and air exposure, shall be so arranged as to avoid undue exposure to nearby through trafficways or undue exposure to concentrated loading or parking facilities, and shall be so oriented as to preserve visual and audible privacy between adjacent buildings;
 - (2) A building wall exposing both windows and an entranceway shall be located no closer to another building than a distance equal to the height of the taller building of the two, but in no case less than 35 feet;
 - (3) Any open court area which otherwise complies with standards of minimum spacing and open area of window exposure must, in any case, leave at least 25 percent of its perimeter free and unobstructed for access by emergency vehicles;
 - (2) A building group must be so arranged that any building is accessible by emergency vehicles.
- (g) ***Permitted uses.*** In the R-5 district only those uses specified under R-5 in the list of permitted uses, section 118-1 of these regulations, will be permitted, except that the following home occupations will be permitted providing they comply fully with the limitations on home occupations as specified in the general provisions (section 118-58):
- (1) Custom dressmaking, millinery, tailoring, sewing of fabric for custom apparel and custom home furnishings.

- (2) Foster family home (not more than four children simultaneously).
 - (3) Office (any office in which chattels or goods, wares or merchandise are not created, exchanged or sold).
 - (4) Tutoring (not more than four students simultaneously).
 - (5) Fine arts studio in which are created only individual works of art.
 - (6) Rooming or boarding of not more than two persons.
- (h) **Dimensional requirements.** The lot shall comply with the following dimensional area requirements:
- (1) **Lot width.** Each interior lot for row or terrace housing shall be not less than 20 feet, and each end lot in a row or terrace housing unit shall be not less than 37 feet, six inches wide, except that where the end lot is adjacent and lengthwise to a street, no building or structure will be permitted within the 25-foot building setback area.
 - (2) **Lot area.** Each interior lot of a row or terrace housing unit shall be not less than 2,500 square feet and shall provide not less than 50 percent of the lot area as unobstructed open space. Each end lot of a row or terrace housing unit shall be not less than 4,500 square feet and shall provide not less than 50 percent of the lot area as unobstructed open space. Single-family and two-family structures shall maintain lot areas as specified in residential zones R-3 and R-4.
 - (3) **Minimum front yard.** Where row or terrace house front onto a street, or court, or open space, the setback distance shall be not less than 25 feet from the front property line, or as required in other ordinances, whichever is greater. In the case of a lot having frontage on two streets which do not intersect on the lot boundaries, then the front yard requirements shall be met on both streets.
 - (4) **Minimum side yards.** For single-family and two-family structures there shall be two side yards to each lot. The minimum required side yard width shall not be less than ten percent of the average lot width, but in no case shall it be less than six feet, except that any side yard abutting a street shall be at least 15 feet, unless under the master street plan, as existing or amended, or other ordinances a greater setback is required for the purpose of street widening or for other reasons. For the end lot of a row or terrace housing unit there shall be one side yard of at least 15 feet or greater where needed to maintain the minimum 35-foot spacing between buildings.

- (5) **Minimum rear yard.** There shall be a rear yard having a depth of not less than 25 feet.
- (6) **Maximum height.** No building hereafter erected or structurally altered shall exceed 2 1/2 stories or 35 feet in height.
- (7) **Location of accessory buildings.** No accessory buildings shall be located on any required front or side yard, or within five feet of any lot line, that is not a street line. Fences up to 96 inches in height may be erected along any boundary of the side yards or rear yard from the rear of the lot forward to the rear of the main structure. A fence 60 inches in height may be erected along the side yards from the rear of the main structure forward to the front building line. Any fence or screen constructed in the required front yard must have planning commission approval as to location, height, material and construction.
- (8) **Minimum size of single-unit dwelling.** Each single-unit dwelling shall contain a gross floor area of not less than 600 square feet, excluding steps, porches or carports.
- (i) **Off-street parking.** Each single-family and two-family lot shall provide at least one off-street parking space. Each row or terrace lot shall have one off-street parking space; provided, however, that this space need not be on the lot with the structure, but shall in no case be located more than 200 feet away from the structure. The provisions of section 118-178, Off-street parking requirements, shall be in full force and effect in R-5 district.
- (j) **Corner visibility.** On a corner lot, within the areas formed by the right-of-way lines of intersecting streets and a line joining points on such right-of-way lines at a distance of 25 feet from their intersection, there shall be no obstruction to vision between a height of two feet and a height of ten feet above the average grade of each street at the centerline thereof, except that street name signs, fire hydrants, street lighting poles and associated appurtenances thereto shall be permitted within this area.

(Ord. No. 3171, § 702.1-5, 3-26-62; Ord. No. 4062, § 1, 4-24-72)

R-5 Allowed Uses

Apartments	Parks Public
Athletic Fields, City Property	Parochial Schools
Athletic Fields, Private Property	Playgrounds, Public
Ball Field	Pool - Swimming, Public
Blind People's Home Private	Pool - Swimming, Private, Commercial
Blind People's Home Public	Recreation Centers, Public
Churches and Sunday School Buildings	Residence, One - Family
City Buildings	Residence, Over Four (4) Families
College, Private	Residence, Three (3) and Four (4)
College, Public	Family
Comfort Station	Rest Homes, Private
Commissary Contractors	Row House, Private
Community Centers	Schools, Kindergarten
Convents	Schools, Parochial
County Buildings	Schools, Physically Handicapped
Daycare	Schools, Private, Academic
Dormitory Buildings (Institutional)	Social Centers
Fallout Shelter	Sorority Houses
Fire Station	Swimming Pools, Commercial
Flats (Five (5) or more Families)	Syrup and Preserve Manufacturing
Forest Land	Tenements, Over Four (4) Families
Furnished Rooms	Tennis Courts, Public
Golf Clubs, Private	Tobacco, Retail
Government Buildings	Tourist Homes
Guest Homes	Two (2) Family Dwelling
Health Center, Charitable or Institutional	United States Government Offices
Homes, Children's, Charitable Institutional	
Homes, Children's, Public	
Homes, Old Age, Charitable Institution	
Homes, Old Age, Public	
Housing, Public Projects	
Kindergarten	
Libraries, Institutional, Religious	
Lodging House	
Maternity Homes, Private	
Nursery Schools, Private	
Old People's Home, Private	
Old People's Home Public	
Parish House	
Parking Lots, Private	

Sec. 118-67. R-6 Single-Family Medium-Density District.

- (a) **Description of district.** The R-6 single-family medium-density district is composed of single-family medium-density areas of the city, plus certain open areas where similar residential developments appear likely to occur. The regulations for this district are designated to encourage controlled medium-density single-family dwellings and to afford a means whereby good homes can be sold at lower prices, to stabilize and protect the essential characteristics of the district, to promote and encourage a suitable environment for family life and to promote orderly planning and development of land uses by prohibiting all activities of a commercial nature in this district, except certain prescribed home occupations controlled by specific regulations, plus certain uses which are adjunct to residential areas, such as schools, parks, churches and certain public facilities.
- (b) **Limitation of external uses.** Within not more than two years from the date on which the following provisions become effective, every use shall be made to comply with the limitation of external uses listed in the general provisions (section 118-28).
- (c) **Permitted structures.** Each lot shall have at least one front property line and shall be occupied by only one principal structure which shall be a single-family dwelling unit or other permitted use structure, and such accessory buildings as are clearly incidental and normal to the permitted use and operated and maintained by the owner of the lot; provided, however, that no accessory building shall be a residence.
- (d) **Permitted uses.** In the R-6 district only those uses specified under R-6 in the list of permitted uses, section 118-1 of these regulations, will be permitted, except that the following home occupations will be permitted, providing they comply fully with the limitations on home occupations as specified in the general provisions (section 118-58):
 - (1) Custom dressmaking, millinery, tailoring, sewing of fabric for custom apparel and custom home furnishings.
 - (2) Laundering, pressing.
 - (3) Office (any office in which chattels or goods, wares or merchandise are not created, exchanged or sold).
 - (4) Tutoring (not more than four students simultaneously).
 - (5) Fine arts studio in which are created only individual works of art.
- (e) **Dimensional requirements.** The lot for each structure shall comply with the following dimensional area requirements:
 - (1) **Lot width.** Each interior lot shall be not less than 45 feet wide at the front building line, and each corner lot shall be not less than 55 feet wide at the front building line.

- (2) **Lot area.** The lot area for a single-family structure shall not be less than 5,000 square feet and shall provide not less than 50 percent of the lot as unobstructed open space.
- (3) **Minimum front yard.** All structures shall be set back a distance of not less than 25 feet from the front property line or as required in other ordinances, whichever is the greater.
- (4) **Minimum side yards.** There shall be two side yards to each lot. The minimum required side yard width shall not be less than ten percent of the average width of the lot at the front building line and in no case be less than six feet with eight feet the maximum; except that any side yard abutting a street shall be at least 15 feet unless under the master street plan, as existing or amended, or other ordinances a greater setback is required for the purpose of street widening or for other reasons. However, in those instances where lot size would mandate the maximum side yard setbacks, the landowner may elect to reduce the size of one side yard, provided the other side yard is increased by the same amount and provided, further, that the reduced side yard meets the minimum size requirement set forth hereinabove.
- (5) **Maximum rear yard.** There shall be a rear yard having a depth of not less than 25 feet.
- (6) **Maximum height.** No building hereafter erected or structurally altered shall exceed 2 1/2 stories or 35 feet in height.
- (7) **Location of accessory buildings.** No accessory buildings shall be located on any required front or side yard, or within five feet of any lot line, that is not a street line. Fences up to 96 inches in height may be erected along any boundary of the side yards or rear yard from the rear of the lot forward to the rear of the main structure. A fence 60 inches in height may be erected along the side yards from the rear of the main structure forward to the front building line. Any fence or screen constructed in the required front yard must have planning commission approval as to location, height, material and construction.
- (8) **Minimum size of single-family dwelling unit.** Each single-family dwelling unit shall contain a gross floor area of not less than 600 square feet, excluding porches, steps and carports.
- (f) **Off-street parking.** Each dwelling unit shall provide at least one off-street parking space. The provisions of section 118-178, Off-street parking requirements, shall be in full force and effect in this district.
- (g) **Corner visibility.** On a corner lot, within the areas formed by the right-of-way lines of intersecting streets and a line joining points on such right-of-way lines at a distance of

25 feet from their intersection, there shall be no obstruction to vision between a height of two feet and a height of ten feet above the average grade of each street at the centerline thereof, except that street name signs, fire hydrants, street lighting poles and associated appurtenances thereto shall be permitted within this area.

(Ord. No. 3171, § 702.1-6, 3-26-62; Ord. No. 3297, § 1, 5-27-63; Ord. No. 6349, § 1, 8-14-89)

R-6 Allowed Uses

Athletic Fields, City Property
Athletic Fields, Private Property
Ball Field
Churches and Sunday School Buildings
City Buildings
Community Centers
Daycare center
Fallout Shelters
Forest Land
Government Buildings
Parish House
Parking Lots, Private
Parks, Public
Parochial School
Playgrounds, Public
Recreation Centers, Public
Residence, One (1) Family
Schools, Parochial
Schools, Physically Handicapped
Social Centers
Syrup and Preserve Manufacturing
Tennis Courts, Public
United States Government Offices

Sec. 118-68. RT-1 Mobile Home Park and Mobile Home Subdivision District.

- (a) **Description of district.** The RT-1 mobile home park and mobile home subdivision district is composed of areas containing mobile homes, rental spaces in a mobile home park or lots for sale in a mobile home subdivision.
- (b) **Dimensions of mobile home parks.** Minimum area of tract shall be eight acres for a mobile home park and ten acres for a mobile home subdivision. Minimum width of tract, for portions used for general vehicular entrances and exits only (other than alleys and service entrances), shall be 50 feet; for portions containing mobile home stands and buildings open generally to occupants minimum width shall be 100 feet. The tract shall comprise a single plot except where the total property includes separate parcels for necessary utility plants with permanent rights-of-way and easements for connection and access or for other structures necessary to the park, but not open generally to the occupants, provided that all lands involved shall be so dimensioned and related as to facilitate efficient design and management.
- (c) **Spaces per acre in mobile home park.** There shall not be more than nine mobile home spaces per acre in the mobile home park.
- (d) **Spaces per acre in mobile home subdivision.** There shall not be more than seven spaces per acre in a mobile home subdivision.
- (e) **General site requirements.**
 - (1) Physical character of the site shall be suitable for development in the manner proposed, without hazards to persons or property, on or off the site, from probability of flooding, erosion, subsidence or slipping of soil, or other dangers, annoyances or inconveniences.
 - (2) Location must be in appropriate existing general land use zone.
 - (3) The developer must offset any additional public expense involved in extending or expanding public utilities or facilities to serve the site.
 - (4) The limits of each mobile home lot shall be clearly marked on the ground by permanent flush stake markers or other suitable means. Location of lot limits on the ground shall be approximately as shown on the accepted plans. The degree of accuracy obtainable by working with a scale on the plan and then a tape on the ground is acceptable.
- (f) **Common recreation spaces.** There shall be eight percent of the gross area for common recreation space. The minimum area of any common recreation area shall be 10,000 square feet, and the minimum width of any such area shall be 80 feet. Such recreation area shall be no nearer than 25 feet to any property line. Each required common recreation area shall be appropriately graded, turfed or otherwise landscaped and

provided with suitable drainage facilities. The recreation area in a mobile home park shall be maintained by the owner. The recreation area in a mobile home subdivision shall be dedicated to the city, or maintained by a homeowners' association.

- (g) ***Accessory commercial uses.*** In a mobile home park containing at least 50 dwelling units, there may be provided for the convenience of the residents of the development accessory commercial area, provided that such commercial areas meet the following conditions:

- (1) The area devoted to commercial purposes shall not exceed ten percent of the gross area.
- (2) No commercial use shall be closer to a property line than 25 percent of the average width or depth of a lot or tract in an R district outside the development.
- (3) Any commercial use shall be governed by the requirements of the C-2 district, but shall present no visible evidence of its commercial character from any R district outside the park.

- (h) ***Design of streets.***

- (1) ***Alignment.*** The standards of the subdivision regulations for the city shall apply as to horizontal and vertical alignment of all interior streets.
- (2) ***Street widths.*** Surfaced roadways shall be of adequate width to accommodate anticipated traffic, and in any case shall meet the following minimum requirements:
 - a. Two-way, with no parking: 20 feet back to back of curb.
 - b. Two-way, with parking on one side only: 27 feet back to back of curb.
 - c. Two-way, with parking on both sides: 34 feet back to back of curb.
 - d. The right-of-way shall be the same as pavement with a ten-foot utility easement on each side.
- (3) ***Street widths at access points.*** At points where general traffic enters or leaves the park street widths shall be sufficient to permit free movement from or to the stream of traffic on the public street, and no parking shall be permitted which in any way interferes with such movement. Where substantial pedestrian movement from and to the park is anticipated, sidewalks shall be provided in such a manner as to eliminate use of roadway surface by pedestrians at access points.

- (i) **Street pavement.** Street pavements shall conform in material and construction to the standards for street paving of the subdivision regulations for the city except as to street pavement width as specified above.
- (j) **Parking and driveways.**
 - (1) **Size of off-driveway spaces.** The minimum size for each parking space off-driveway shall be nine feet wide and 20 feet long.
 - (2) **Size of off-street parking bays.** The size of off-street parking bays shall be as shown in the following table:

Parking Angle (degrees)		Minimum Bay Depth (feet)	Minimum Backing Depth (feet)
90	9	18	26
60	12.5	17	20
45	12.7	16	19

- (3) **Parking ratio.** Parking facilities shall be provided at the rate of at least two car spaces for each mobile home lot.
 - (4) **Location.** Required car parking spaces shall be located for convenient access to the mobile home stands. Insofar as practicable one car space shall be located on each lot and the remainder located in adjacent parking bays.
 - (5) **Corner radii.** All corner radii shall be 15 feet.
- (k) **Pedestrian circulation.**
 - (1) **Individual walks.** Individual walks shall be provided to each mobile home stand from the paved street or from a paved driveway or parking space connecting to a paved street.
 - (2) **Common walks.** Common walks shall be provided in locations where pedestrian traffic is concentrated, for example at the court entrance and to the court office and other important facilities. Common walks should preferably be through interior areas removed from the vicinity of streets.

- (3) **Walkway width.** Common walks shall be at least three feet wide.
- (l) **Patios.** Each mobile home stand shall be provided with a patio of at least 180 square feet to provide appropriate outdoor living space. Patios may be omitted when the patio's equivalent is provided by mobile home models.
- (m) **Yards and distances between stands and structures.**
 - (1) **Determination of side yards.** Side yard width shall be measured from the required mobile home stand to the individual mobile home lot line. Minimum front yard shall be 15 feet. The minimum side yard shall be 7.5 feet and the minimum back yard shall be ten feet. Expandable rooms, enclosed patios, garages or structural additions shall be included in the mobile home stand area.
 - (2) **Distance across streets.** The distance from the line or corner of any mobile home stand to any stand on the opposite side of a street shall be 50 feet minimum.
 - (3) **Yards abutting common areas.** The distance from the line or corner of the mobile home stand to a street pavement, a common parking area, a common walk or other common area shall be 15 feet minimum.
 - (4) **Distance to court boundaries.** The distance from the line or corner of any mobile home stand to a boundary line of the mobile home court shall not be less than 15 feet. Special protection acceptable to the city shall be provided by walls, solid or louvered fencing, or open fencing with appropriate planting, at a minimum distance of 15 feet from the mobile home stand.
- (n) **Length of residential occupancy.** No space shall be rented for residential use of a mobile home in any such park except for periods of 30 days or more.
- (o) **Other regulations.** In addition to complying with the requirements of this Code, any mobile home park shall comply with the rules and regulations of the Arkansas state board of health pertaining to mobile home parks and to the mobile home ordinance of the city.
- (p) **Applicability of subdivision regulations.** Mobile home subdivisions shall use the procedures in the city subdivision regulations except right-of-way widths, setback requirements and minimum lot sizes. This chapter shall govern these requirements. On preliminary plats the location of all mobile homes shall be shown.

(Ord. No. 3171, § 702.1-8, 3-26-62; Ord. No. 3781, § 1, 11-24-69)

Secs. 118-69--118-87. Reserved.

Subdivision III. Commercial Districts

Sec. 118-88. Generally.

Certain areas of the city are designated as commercial districts. These districts are designed to permit the transaction of the various types of business in separate areas, and in surroundings conducive to the particular type of business, without interference to surrounding areas and developed to avoid traffic congestion, traffic hazards and with ample parking. It is intended that each district should provide for good traffic and pedestrian circulation, eliminating all possible conflicts between the two, and the developing of open spaces, landscape, green and planted areas of sufficient size and number to enhance each business and create in the city centers of outstanding beauty, convenience and attractiveness.

(Ord. No. 3171, § 702.2(A), 3-26-62; Ord. No. 3696, § 1, 9-9-68)

Sec. 118-89. Effect of district designation; procedure.

The designation of an area as a C-1, C-2, C-3, C-4, C-5 or C-6 district may be accomplished as provided in this chapter, in action started by the planning commission, or upon applications by interested parties. In the latter case, there shall be presented a preliminary development plan which shall be the basis for the development plan, and shall show all street rights-of-way, proposed zone, boundaries, and location and general type use for all buildings. In all cases, before any designation is given, there shall be a public hearing as provided for in section 118-40. The designation of an area as a commercial zone shall cause the conditions and requirements set forth in sections 118-223 and 118-224 hereof to come into full force and effect. Such designation shall not create any right to erect or alter any structures or to apply for a permit therefor, nor shall such right exist until the filing, approval and registration of a commercial development plan as hereinafter set forth. Whenever a failure to comply with the provisions of this subdivision occurs, no permit shall be issued for the erection or alteration of any structures in the area and all issued permits therefor shall be terminated and cancelled until the area included within the area has been examined by the commission and zoned or rezoned for its most appropriate use. Any applicant for the designation of an area as a C-1, C-2, C-3, C-4, C-5 or C-6 district, whether under disability or otherwise and including the successors and assigns thereof, shall be deemed conclusively to have assented to all of these conditions.

(Ord. No. 3171, § 702.2(B), 3-26-62)

Sec. 118-90. Development plans.

- (a) The provisions of this section shall apply to all areas designated as commercial districts C-2, C-3, C-4 or C-5 after the effective date of this chapter and shall apply to all new commercial districts hereafter designated whether by action originated by the planning commission or by action originated by application of interested parties; and further the provisions of this section shall apply under the circumstances listed hereunder to areas designated herein as commercial districts which on the date of the passage of this chapter were developed and improved:

- (1) Whenever such district is increased;
- (2) Whenever a structure containing or intended for a permitted use is to be erected or the floor area of such structure then existing is to be increased;

provided, however, that the provisions of this section shall apply under these circumstances only to the additional land area added and only to the structures erected or altered.

- (b) Within not more than 12 months from the effective date of any subsequent ordinance designating an area development as a commercial district, a complete development plan covering the area zoned shall be filed with the planning commission by the owner or owners and the developers of the area accompanied by sufficient evidence to establish that the applicants are the owners and the developers of the designated land and structures. The development plan may be based, in whole or part, on the provisions of section 118-180, Planned building groups, and if so based shall comply with all requirements of that section. Upon, but not before, the approval and registration of the development plan as hereinafter set forth, the applicants for a development plan shall be entitled to apply for permits and certificates as are made necessary by the plan for compliance to this section. Upon request and valid reasons for delay, an extension of time may be granted by the commission in increments of six months up to a maximum of four extensions.
- (c) The development plan shall be certified by the applicants and shall show in exact and final detail the following details to scale:
 - (1) The land area included within the area, the land of all abutting districts and the zoning classification thereof, public rights-of-way and easements bounding and intersecting the area and for 500 feet within the abutting districts which are proposed to be continued, created, relocated and/or abandoned;
 - (2) The estimated starting and completion dates for the construction of all structures and improvements within the district;
 - (3) The proposed finished grade of the district, shown to contour intervals of not to exceed one foot;
 - (4) A description of the proposed lot or lots and the boundaries thereof;
 - (5) The location of each existing and each proposed structure in the area, the use or uses to be contained therein, the number of stories, gross floor area for each structure and location of all entrances and loading points;
 - (6) The location of all outside facilities for waste and garbage disposal;

- (7) All curb cuts, driving lanes, parking areas, loading areas, public transportation points and illumination facilities for the district;
 - (8) All pedestrian walks, malls and open areas for use by tenants or members of the public;
 - (9) The location, height and type of all walls, fences and screen planting;
 - (10) The location, size, height, type and orientation of all signs other than signs flat on building facades;
 - (11) The types of surfacing, such as paving, turfing or gravel, to be used at the various locations, and the landscaping plan;
 - (12) The location of fire hydrants.
- (d) All development plans filed hereunder shall be reviewed for completeness by the administrative office. If the plans are found to be complete and all requirements met, they shall be approved in writing. In the case of disapproval, it shall go before the planning commission and if the commission disapproves they shall be notified in writing of the reasons for the disapproval, and in all cases, giving due notice to the applicants.
- (e) After completing its review of a development plan, the commission shall return one approved copy of the plan and all pertinent data, together with a notice of recommendation, to the applicants. All approved development plans shall be registered as hereinafter set forth.
- (f) Upon approval of the development plan, the commission shall register a copy thereof among its records.

(Ord. No. 3171, § 702.2(C)--(H), 3-26-62)

Sec. 118-91. Exceptions to lot width and area requirements.

On a lot of record shown on a plat or deed recorded prior to the adoption of this chapter, or where the lot is adjoined on both sides with lots with structures thereon or on a lot is adjoined on one side by a street and on the other by a lot with a structure thereon, the minimum lot width at the building line and minimum lot area may be waived by the planning commission staff, providing that the intended structure is in full compliance with all other requirements of this chapter. In no case, however, shall a lot width of less than 20 feet be permitted or a lot area of less than 2,500 square feet be permitted.

(Ord. No. 3171, § 702.2(I), 3-26-62)

Sec. 118-92. Hours of operation of permitted uses.

- (a) Notwithstanding any other provisions contained within this chapter, all uses listed as permitted within the zoning classifications C-1, C-2 and C-5 are permitted uses only between the hour of 6:00 a.m. and 10:00 p.m. Authority to operate between the hours of 10:01 p.m. and 5:59 a.m. may be obtained by application for special use as set forth within article II of this chapter.
- (b) This section shall be prospective in operation, it being the express intent of the city council to exempt from its provisions regarding application for special use, existing ongoing entities operating between the hours of 10:00 p.m. and 6:00 a.m. as of August 12, 1991.

(Ord. No. 6542, §§ 1--3, 8-12-91)

Sec. 118-93. Service stations.

- (a) ***Permitted structures.*** Each service station lot shall have at least one front line and shall be occupied only by structures and accessory buildings as are clearly incidental and normal to the operation of service stations.
- (b) ***Dimensional requirements.***
 - (1) ***Lot area.*** The lot area shall not be less than 14,000 square feet, of which 60 percent shall remain as unobstructed open space; provided, however, that this open space may be used for parking and landscaped areas.
 - (2) ***Minimum front yard.*** The main structure shall be set back 40 feet from each front property line. The pump islands shall be set back not less than 15 feet from each front property line; provided, however, if a canopy is used the forwardmost part may not extend any closer than 12 feet from each front property line.
 - (3) ***Side yards.*** No side yard is required for the primary structure. Pump islands, including canopies, shall not be less than 15 feet from any side lot line.
 - (4) ***Minimum rear yard.*** There shall be a rear yard having a depth of not less than 20 feet; provided that, where the rear lot line abuts an alley, then the minimum rear yard requirement shall be a depth of not less than 15 feet.
 - (5) ***Maximum height.*** No building hereafter erected or structurally altered shall exceed 28 feet in height; provided, however, that cooling towers and other structural units necessary for the functioning of the use shall be permitted to exceed this height, provided that no building shall exceed a height of 35 feet.

- (6) **Location of accessory buildings.** No accessory building except pump islands and/or canopies shall be located in any required front yard, or within 15 feet of any lot line. Fences up to 96 inches in height may be erected along any boundary of the side yards or rear yard from the rear of the lot forward to the rear of the main structure. A fence 60 inches in height may be erected along the side yards from the rear of the main structure forward to the front building line. Any fence or screen constructed in the required front yard must have planning commission approval as to location, height, material and construction.
- (7) **Screens.** All service stations shall provide a screen between abutting residential zones and C-1 business areas, so as to protect these areas by day and by night from unreasonable disturbance by movement of people or vehicles, and from lights, noises or exposure to views not compatible with these areas. Such screens shall be pleasing in design and of a substantial material, easily maintained.
- (c) **Off-street parking.** An area equal to the gross floor area but in no case less than five parking spaces shall be provided.
- (d) **Corner visibility.** On a corner lot, within the areas formed by the right-of-way lines of intersecting streets and a line joining points on such right-of-way lines at a distance of 25 feet from their intersection, there shall be no obstruction to vision between a height of two feet and a height of ten feet above the average grade of each street at the centerline thereof, except street name signs, fire hydrants, street lighting poles, a pole or support installed to display a trademark sign provided it does not obstruct the view of traffic at the intersection, and associated appurtenances thereto shall be permitted within this area.
- (e) **Used car sales and trailer rentals.** No used car or other related type sales shall be permitted. Trailer rentals will be permitted in zones C-2, C-3, C-4 and C-5 only; provided, however, the storage of said trailers is properly screened from all abutting properties.
- (f) **Enclosure requirement.** All major repair work shall be in an enclosed area.
- (g) **Curb cuts and safety islands.** Curb cuts and safety islands shall be in accordance with the regulations of the city engineer.
- (h) **Signs.** All signs shall meet the requirements of the sign ordinance as amended.

(Ord. No. 3171, § 702.2-0, 3-26-62; Ord. No. 3666, § 1, 3-11-68)

Sec. 118-94. Commercial condominiums.

- (a) The construction of commercial structures which may be owned under the provisions of the Arkansas Horizontal Property Act (A.C.A. § 18-13-101 et seq.) is hereby permitted, provided the planning commission shall designate such setback requirements for front, rear and side property lines, such parking requirements, such landscaping and lighting requirements, and grant such waivers thereto as it may deem fit and proper for the betterment of the city, and provided, further, that no major changes in the approved plans may be made without resubmission to the planning commission.
- (b) Prior to the issuance of any building permit for the construction of a so-called condominium unit or horizontal property unit authorized under and by virtue of the Horizontal Property Act (A.C.A. § 18-13-101 et seq.), a copy of the master deed and plans shall be attached to the master deed as required by A.C.A. §§ 18-13-104, 18-13-105 shall be filed with and approved by the appropriate city officials as required for all other construction projects.
- (c) Notwithstanding any other provision in any other ordinance to the contrary, it is hereby determined and found that in no event shall developments under this chapter or under the Horizontal Property Act (A.C.A. § 18-13-101 et seq.) be in violation of the zoning ordinances of the city.

(Ord. No. 3171, § 702.2-1a, 3-26-62; Ord. No. 4543, § 1, 8-11-75; Ord. No. 4558, §§ 1, 2, 9-22-75)

Sec. 118-95. C-1 Quiet Business District.

- (a) **Description of district.** The C-1 quiet business district is composed of certain lands and structures used primarily to provide office space for uses related to professional type services either for the residents of nearby residential areas or characterized by a low volume of direct daily customer contact. Usually this district is located on thoroughfares, characteristically is small in size and is usually situated between business and residential areas. The regulations are designed to permit development of the functions specified under C-1 in the list of permitted uses, limited by standards designed to protect surrounding residential districts. To these ends the regulations establish standards comparable to those for residential districts, resulting in similar open space and building bulk and retaining the low concentration of pedestrian and vehicular traffic.
- (b) **Limitation of external effects of uses.** Within not more than two years from the date on which this chapter is passed, every use shall be made to comply with the limitation of external uses outlined in the general provisions (section 118-28).
- (c) **Permitted structures.** Each lot shall have at least one front line and shall be occupied only by one structure containing a permitted use and such accessory buildings as are clearly incidental and normal to the permitted use, provided, however, that it shall not be a residence.
- (d) **Permitted uses.** In the C-1 district only those uses specified under C-1 in the list of permitted uses, section 118-1 of these regulations, will be permitted.
- (e) **Dimensional requirements.** The lot for each permitted use shall comply with the following dimensional area requirements:
 - (1) **Lot width.** Each lot shall be not less than 60 feet wide at the front building line.
 - (2) **Lot area.** The lot area shall be not less than 7,200 square feet, and shall provide not less than 50 percent of the lot area as unobstructed open space.
 - (3) **Minimum front yard.** All structures shall be set back a distance of not less than 25 feet from the front property line or as required in other ordinances, whichever is greater.
 - (4) **Minimum side yards.** There shall be two side yards to each lot. The minimum required side yard shall be not less than ten percent of the width at the front building line, but in no case shall it be less than six feet, with eight feet the maximum required, except that any side yard abutting a street shall be at least 15 feet, unless under the master street plan, as existing or amended, or other ordinance a greater setback is required for the purpose of street widening or for other reasons.

- (5) **Minimum rear yard.** There shall be a rear yard having a depth of not less than 25 feet.
- (6) **Maximum height.** No building hereafter erected or structurally altered shall exceed 2 1/2 stories or 35 feet in height.
- (7) **Location of accessory buildings.** No accessory buildings shall be located on any required front or side yard, or within five feet of any lot line, that is not a street line. Fences up to 96 inches in height may be erected along any boundary of the side yards or rear yard from the rear of the lot forward to the rear of the main structure. A fence 60 inches in height may be erected along the side yards from the rear of the main structure forward to the front building line. Any fence or screen constructed in the required front yard must have planning commission approval as to location, height and construction.
- (8) **Screens.** All C-1 uses shall provide an approved screen between abutting residential areas, so as to protect these areas by day and night from unreasonable disturbance by movement of people or vehicles, and from noises or exposure to views not fully compatible with residential areas. Such screens should permit the passage of air and be of pleasing design.
- (f) **Off-street parking.** The provisions of section 118-178, Off-street parking requirements, shall be in full force and effect in C-1 district.
- (g) **Corner visibility.** On a corner lot, within the areas formed by the right-of-way lines of intersecting streets and a line joining points on such right-of-way lines at a distance of 25 feet from their intersections, there shall be no obstruction to vision between a height of two feet and a height of ten feet above the average grade of each street at the centerline thereof, except that street name signs, fire hydrants, street lighting poles and associated appurtenances thereto shall be permitted within this area.
- (h) **Planned building groups.** The provisions of section 118-180, Planned building groups, may be applied in the C-1 district.

(Ord. No. 3171, § 702.2-1, 3-26-62)

C-1 Allowed Uses

Abstractors	Insurance Offices
Accountants	Laboratories, Clinical
Adjusters	Laboratories, Dental
Advertising Offices, Agencies	Landscape Architects Offices
Appraisers	Lawyers, Offices
Architects	Naturopathic Physicians
Barbers	Optician
Beauty Shops	Opticians, Sales
Bonding Companies	Optometrists, Sales
Buildings, Office	Osteopathic Physicians and Surgeons
Chiropodists	Parish House
Chiropractors	Parking Lots, Private
Christian Science Practitioners	Parks, Public
Christian Science Reading Rooms	Pharmacy
Churches and Sunday School Buildings	Physical Therapy Clinic
Clinics, Private	Physicians' and Surgeons' Exchanges
Clinics, Public	Physicians' and Surgeons' Offices (
Curio Shops	Individual
Dentists	Real Estate Sales Offices
Detective Agencies	Stenographers, Public
Dispensary, Private Clinic	Stock and Bond Brokers
Dispensary, Public	Surveyors
Doctor's Office	Synagogue
Drugless Physicians	Tax Consultants
Engineers, Offices	Title Insurance Companies
Fallout Shelter	
Felt, Fabric Manufacturing	

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Sec. 118-96. C-2 Local Shopping Center District.

- (a) **Description of district.** The C-2 local shopping center district is composed of certain lands that should be a minimum of one acre in size and structures used primarily to provide the retailing of commodities classed by merchants as convenience goods. The volume of pedestrian traffic in proportion to automobile traffic in the district is much higher than in other retail business districts. This district characteristically is small, almost always is surrounded by residential districts and is located at a convenient walking distance from the edges of the surrounding residential districts it is designed to serve. The regulations are designed to permit development of the functions specified in the list of permitted uses, limited by standards designed to protect the surrounding residential districts. To these ends, the regulations establish standards comparable to those for residential districts, resulting in similar building bulk and retaining the relatively low concentration of vehicular traffic as compared to other retail business districts. Of great importance is the necessity that the areas selected for this district actually be developed as permitted. To ensure the provision of essential retail services to a neighborhood, the privilege of providing these services is matched by the responsibility and duty to so provide. Consequently, the right to develop this district may be lost if actual development does not occur. In some instances, this district may not be located pending the development of sections of the city and may therefore be considered a floating zone; however, once such a zone is established in any area of the city, and the need for neighborhood shopping facilities having been met, the district shall be fixed and no further applications for such zones will be considered in that area.
- (b) **Permitted structures.** Each lot shall have at least one front line and shall be occupied by one structure containing permitted uses, and such accessory buildings as are clearly incidental and normal to the permitted use, provided, however, that it shall not be a residence.
- (c) **Permitted uses.** In the C-2 district only those uses specified under C-2 in the list of permitted uses, section 118-1 of these regulations, will be permitted, provided such uses are operated only at retail and shall not be operated as commercial wholesale.
- (d) **Dimensional requirements.** The lot for each structure shall comply with the following dimensional and area requirements:
 - (1) **Lot width.** Each lot shall be not less than 80 feet wide at the front building line.
 - (2) **Lot area.** The lot shall be not less than one acre in area, and shall provide not less than 60 percent of the area as unobstructed open space, except for use as an off-street parking space.

- (3) **Minimum front yard.** All structures shall be set back a distance of not less than 40 feet from each front property line, or as required in other ordinances, whichever is the greater. At least one additional foot of setback shall be provided for each foot that a building on the lot exceeds 35 feet.
- (4) **Minimum side yard.** No side yards are required except where the zone abuts a residential area, in which case a side yard of 15 feet is required on the side or sides abutting the residential area. In all other cases where side yards are provided they shall be not less than eight feet in width.
- (5) **Minimum rear yard.** There shall be a rear yard having a depth of not less than 20 feet; provided that, where the rear lot line abuts an alley and the property on the other side of the alley is not within a residential zone, then the minimum rear yard requirement shall be a depth of not less than 15 feet. Where the rear lot line abuts onto a street the rear building line shall be the building setback line established for that street.
- (6) **Location of accessory buildings.** No accessory buildings shall be located on any required front or side yard, or within five feet of any lot line, that is not a street line, except that street name signs, fire hydrants, street lighting poles and associated appurtenances thereto shall be permitted within this area.
- (7) **Screens.** All C-2 uses shall provide a screen between abutting residential or C-1 business areas, so as to protect these areas by day and by night from unreasonable disturbance by movement of people or vehicles, and from lights, noises or exposure to views not compatible with these areas. Such screens shall be pleasing in design, and of substantial material, easily maintained.
- (e) **Off-street parking.** The provisions of section 118-178, Off-street parking requirements, shall be in full force and effect in this district.
- (f) **Off-street loading requirements.** The provisions of section 118-179, Off-street loading requirements, shall be in full force and effect in this district.
- (g) **Corner visibility.** On a corner lot, within the area formed by the right-of-way lines of intersecting streets and a line joining points on such right-of-way lines at a distance of 25 feet from their intersection, there shall be no obstruction to vision between a height of two feet and a height of ten feet above the average grade of each street at the centerline thereof, except that street name signs, fire hydrants, street lighting poles and associated appurtenances thereto shall be permitted within this area.

- (h) ***Planned building groups.*** The provisions of section 118-180, Planned building groups, shall be in full force and effect in the C-2 district.
- (i) ***District designation and development plan provisions.*** The provisions of the general regulations for commercial districts, sections 118-221 through 118-224 inclusive, shall be in full force and effect in the C-2 district.
- (j) ***Antique and furniture auction houses.*** No antique and furniture auction house doing business in a C-2 zone shall conduct public auctions between the hours of 6:00 p.m. and 9:00 a.m., or conduct any auction or hold items for inventory or display for sale outside the physical structure comprising the auction house.

(Ord. No. 3171, §§ 502.006a, 702.2-2, 3-26-62; Ord. No. 3914, § 1, 4-26-71; Ord. No. 4716, § 2, 1-24-77)

C-2 Allowed Uses

Abstractors	Braces, Orthopedic Sales
Academy, Dancing	Brushes, Sales
Accountants	Building Contractors' Offices
Accessories and Apparel Store	Building and Loan Associations
Adjusters	Buildings, Office
Advertising Offices, Agencies	Burglar Alarm Watching Service
Advertising Photo Studios	Business Machines Distribution and Sales
Airline Companies Offices	Butcher Shops
Airplane Beacons	Butcher's Supplies and Sales
Antique and Furniture Auctions	Drugs, Retail Sales
Antique Sales	Dry Cleaning Establishment (Depot Only)
Appliance Store	Dry Goods
Apparel and Accessories Store	Electric Equipment, Sales
Appraisers	Electric Light and Power Companies, Office
Apothecary	Electric Appliances Sales
Architects	Employment Agencies
Art, Needle Work	Engineers, Offices
Artists, Commercial and Display	Entertainment Bureaus
Artists, Materials and Supplies	Express Companies, Office Only
Assembly Halls	Fallout Shelters
Automobiles Laundry	Filling Station, Gasoline
Automobiles Laundry Four (4) Stalls Max Self-	Finance Company, Loan Offices
Automobiles Muffler Shops	Fire Station
Automobiles Service Stations	Floor Materials and Laying, Sales
Baby Shops	Florist, Sales
Bakery Store Manufacturing Limited to Goods R	Food Products, Retail Sales
Bank and Trust Companies	Fruit Stores, Retail
Barbers	Fruit and Vegetable Market, Retail
Battery Service	Fuel Distribution Station Gasoline
Beauty Shops	Furnaces, Display and Sales
Bible Institute	Furniture, Display and Sales
Bible Sales	Furniture, Sales
Bicycle Repair	Furniture, Used
Bicycle Sales	Furs, Retail Sales
Boats, Motors, Accessories (Sales)	Gardening Supplies, Packaged Fertilizers Only
Bolts and Nuts, Sales (Hardware)	Gas Appliances, Sales
Bonding Companies	Gas Companies' Offices
Book Store	Gasoline, Retail Sales
Booksellers	Gift Shops
Botanical Gardens	Golf, Miniature
	Government Buildings

Grocers Retail	Phonograph Records, Sales
Guns, Sales	Phonographs, Sales
Hairdressing	Photographers, Commercial Studios
Halls, Assembly Institutional	Photographic Equipment and Supplies
Halls, Commercial	Retail Sales
Halls, Public	Photo - Printers, Retail
Hand Laundries, All Work In premises	Physical Therapy Clinic
Hardware, Retail Sales, New and Used	Physicians' and Surgeons' Exchanges
Hat and Cap, Retail Sales	Physicians' and Surgeons' Offices (
Hat Cleaners and Renovators	Individual
Health Centers, Charitable or Renovators	Piano Sales
Health Food Products, Sales	Picture Framing Custom
Heating Contractors' Offices	Pipe Line Companies' Offices
Heating and Ventilating Apparatus, Sales	Playgrounds, Public
Hemstitching	Popcorn, Dispensing Popped
Herbs, Sales	Post Office
Hobby Shop	Poultry and Egg Store (No Slaughtering,
Home Furnishings Store	Produce (Garden), Retail Sales
Hosiery Sales and Repairing	Property Management Offices
Hospital Service Organizations	Protection Service
Newspapers Advertising Sales	Provident Association
Notions, Retail	Public Relations Consultants
Novelties, Retail	Publicity Service
Nurseries, Landscape	Publishers' Office
Nut Shop	Pumps, Retail Sales and Display
Office Building	Radio, Retail Sales
Office Equipment Sales	Radio Repair Shop
Office Furniture, Equipment & Supplies Sale	United States Government Offices
Office Service	Vacuum Cleaners, Sales and Repair
(see page 2544 for explanation)	Variety Stores - Retail
Oil and Gasoline Stations	Vegetable Market, Retail
Optician	Venetian Blinds and Window Shades,
Opticians, Sales	Retail Sales
Optometrists, Sales	Veterinarians, Office Only
Orthopedic Shoe Repair	Vocational School
Osteopathic Physicians and Surgeons	Wallpapers, Sales, Display
Paint and Varnish, Supplies Retail Sales	Washing Machines, Sales & Display
Painting Contractors, Office Only	Custom R
Painting Equipment and Supplies Retail	Watches, Sales and Repairing
Sales	Weaving, Handcraft
Parish House	Weaving and Mending Custom
Parking Lots, Private	Wheel Chairs, Rentals and Service
Parks, Public	Window Shades, Sales and Repairing
Pet Shops (Sales Only)	Zoological Gardens, Public
Pharmacy	
Philatelist	

Sec. 118-97. C-3 Community Shopping District.

- (a) **Description of district.** The C-3 community shopping district is composed of certain land and structures used primarily to provide the retailing of commodities classed by merchants as general apparel and furnishings. The volume of pedestrian traffic in proportion to automobile traffic entering the district is relatively low. This district is usually located on a major arterial highway, characteristically is large, and should be at least three acres in area, almost always is entirely surrounded by residential or C-1 districts and is located at a convenient driving distance from the edges of the surrounding residential districts it is designed to serve. The regulations are designed to provide for development of the permitted uses limited by standards designed to protect the abutting or surrounding residential districts. To these ends, the regulations establish standards comparable to those for residential districts, resulting in similar building bulk and retaining as low a concentration of vehicular traffic as is compatible with the functioning of the district. Of great importance is the necessity that the areas selected for this district actually be developed as permitted. To ensure the provision of essential major retail services to a community, the privilege of providing these services is matched by the responsibility and duty to so provide. Consequently, the right to develop this district may be lost if actual development does not occur.
- (b) **Permitted structures.** Each lot shall have at least one front property line and shall be occupied only by structures containing permitted uses and such accessory buildings as are clearly incidental and normal to and are operated and maintained by the owner as tenant of the permitted use, provided, however, that it shall not be a residence.
- (c) **Permitted uses.**
 - (1) In the C-3 district only those uses specified under C-3 in the list of permitted uses, section 118-1 of these regulations, will be permitted.
 - (2) Notwithstanding any other provision of this chapter to the contrary, the temporary display of mobile homes, boats, cars, farm implements and similar items is a permitted use in the C-3 zoning district if approval is obtained from the director of the planning commission and a special permit is obtained from the revenue officer of the city. The special permit allows such use for a period of seven days at the location specified in the permit and is renewable for an additional period of seven days upon approval of the planning director. The fee for the permit is \$25.00 for the first four days and \$5.00 for each day thereafter.
- (d) **Dimensional requirements.** The lot for the C-3 commercial district shall comply with the following dimensional and area requirements:

- (1) **Lot area.** The lot area shall be not less than 130,680 square feet of which 60 percent shall remain as unobstructed open space; provided, however, that this open space may be used for parking and landscaped areas.
- (2) **Minimum front yard.** All structures shall be set back a distance of not less than 40 feet from each front property line, or as required in other ordinances, whichever is the greater; provided, however, that, where the height of any building exceeds 45 feet as permitted under these district regulations, the front yard setback shall be increased at least one foot for each foot of increased structure height above 45 feet.
- (3) **Side yards.** No side yard is required except where the zone abuts a residential area, in which case a side yard of 15 feet is required on the side or sides abutting the residential area; provided, however, that where the zone abuts a street the side yard setback established for that street shall be maintained, or the setback shall be as required by other ordinances, whichever is greater. In all other cases where side yards are provided they shall be not less than eight feet in width; provided, however, that, where the height of any building exceeds 45 feet as permitted under these district regulations, the side yard setback shall be increased one foot for each increment of five feet of increased structure height above 45 feet up to the maximum permitted height.
- (4) **Minimum rear yard.** There shall be a rear yard having a depth of not less than 20 feet; provided that where the rear lot line abuts an alley and the property on the other side of the alley is not within a residential zone, then the minimum rear yard requirement shall be a depth of not less than 15 feet. Where the rear lot line abuts onto a street the rear building line shall be the building setback line established for that street.
- (5) **Location of accessory buildings.** No accessory buildings shall be located in any required front or side yard, or within five feet of any lot line, that is not a street line. Fences up to 96 inches in height may be erected along any boundary of the side yards or rear yard from the rear of the lot forward to the rear of the main structure. A fence 60 inches in height may be erected along the side yards from the rear of the main structure forward to the front building line. Any fence or screen constructed in the required front yard must have planning commission approval as to location, height, material and construction.
- (6) **Screens.** All C-3 uses shall provide a screen between abutting residential or C-1 business areas, so as to protect these areas by day and by night from unreasonable disturbance by movement of people or vehicles from lights, noises or exposure to views not compatible with these areas. Such

screens shall be pleasing in design, and of a substantial material, easily maintained.

- (e) ***Off-street parking.*** The provisions of section 118-178, Off-street parking requirements, shall be in full force and effect in C-3 district.
- (f) ***Corner visibility.*** On a corner lot, within the areas formed by the right-of-way lines of intersecting streets and a line joining points on such right-of-way lines at a distance of 25 feet from their intersection, there shall be no obstruction to vision between a height of two feet and a height of ten feet above the average grade of each street at the centerline thereof, except that street name signs, fire hydrants, street lighting poles and associated appurtenances thereto shall be permitted within this area.
- (g) ***Planned building groups.*** The provisions of section 118-180, Planned building groups, shall be in full force and effect in the C-3 district.
- (h) ***District designation and development plan provisions.*** The provisions of the general regulations for commercial districts, sections 118-221 through 118-224 inclusive, shall be in full force and effect in the C-3 district.

(Ord. No. 3171, § 702.2-3, 3-26-62; Ord. No. 3914, § 1, 4-26-71; Ord. No. 4300, §§ 1, 2, 12-10-73)

C-3 Allowed Uses

Abstractors	Bicycle, Repair
Academy, Dancing	Bicycle, Sales
Accountants	Billiard Parlors
Accessories and Apparel Store	Blacksmiths
Adjusters	Blue Printing and Supplies
Advertising Offices, Agencies	Boats, Motors, Accessories (Sales)
Advertising Photo Studios	Bolts and Nuts, Sales (Hardware)
Airline Companies Office	Bonding Companies
Airplane Beacons	Book Store
Antique and Furniture Auctions	Book Publishing, Offices
Antique Sales	Booksellers
Appliance Store	Botanical Gardens
Apparel and Accessories Store	Bowling Alleys
Appraisers	Braces, Orthopedic Sales
Apothecary	Broadcasting Studio
Aquarium Including, But Not Restricted To Sales	Brokerage House
Architects	Brushes, Sales
Army and Navy Goods Sales	Building Contractors' Offices
Art Gallery, Commercial Sales	Building and Loan Associations
Art Needle Work	Buildings, Office
Art School, Commercial	Burglar Alarm Watching Service
Art School Institute (Public)	Business Machines Distribution and Sales
Artificial Limbs Sales and Service	Butcher's Shops
Artists, Commercial and Display	Butcher's Supplies and Sales
Artists, Materials and Supplies	Cafes (Restaurants Only)
Asbestos Products, Sale	Camera Shop
Assembly Halls	Candy Shops (Retail)
Auditorium, Private Institutional	Canvas Goods Sales
Auditorium, Public	Carpet Layers
Auditorium, Theaters and Commercial	Caterers
Automobiles, Laundry	Chairs, Folding, Rental
Automobiles, Laundry Four (4) Stall Max Se	Chairs, Physiotherapy Sales
Automobiles, Muffler Shops	Children's and Infant's Wear, Sales
Automobiles, Parts and Supplies (New) Sales	Chinese Laundry
Automobiles, Sales From Show Rooms	Chiropodists
Automobiles, Service Stations	Chiropractors
Automobiles, Show Rooms	Christian Science Practitioners
Baby Shops	Christian Science Reading Room
Bakery Store Manufacturing Limited To Goods	Churches and Sunday School Buildings
Bank and Trust Companies	Cigar Stores
Barbecue, Stand Roadside Sales	City Buildings
Barbers	Cleaners and Shirt Laundries
Bath House, Private Commercial	Cleaning and Dyeing Distribution Shops
Bathroom Accessories Display and Sales	Cleaning and Dyeing Processing
Battery Service	Clinics, Private
Beauty Shops	Clinics, Public
Bible Institute	Clubs, Private, Social, or Fraternal
Bible Sales	Clubs, Supper and Amusement

City of North Little Rock, Arkansas

Coin Dealers	Entertainment Bureaus
Collection Agencies	Exhibition Buildings Commercial
Comfort Stations	Exhibition Buildings Public
Commission House, Office	Express Companies, Office Only
Confectioners, Retail	Fallout Shelter
Conservatory, Commercial Botanical	Federal Offices
Contractors, Office	Feed, Retail Distribution and Sales Offices
Corsets and Brassieres, sales	Filling Station, Gasoline
County Buildings	Finance Company, Loan Offices
Credit Reporting Bureaus	Fire Station
Credit Union Bureaus	Fish Markets, Public
Crockery Sales	Fish Store, Retail
Curio Shops	Floor Materials and Laying, Sales
Dairies, Retail Sales of Products	Florists, Sales
Dairy Products, Sales	Food Products, Retail Sales
Dance Hall	Fruit Stores, Retail
Dance Instruction	Fruit and Vegetable Market, Retail
Decoration, Display Room and Office	Fuel Distribution Station Gasoline
Delicatessens	Fur Warehouse Fur Garments
Delivery Service Office	Furnaces, Display and Sales
Dental Laboratories	Furniture, Display and Sales
Dentist	Furniture, Sales
Department Stores	Furniture, Used
Desks, Sales	Furs, Custom Cleaning, Remodeling, Repair and
Detective Agencies	Furs, Manufacturing, Cutting and Assembly
Dispensary, Private Clinic	Furs, Retail Sales
Dispensary, Public	Garment Factory
Doctor's Office	Gardening Supplies, Packaged Fertilizers Only
Dolls, Repairing	Gas Appliances, Sales
Dormitory Buildings (Institutional)	Gas Companies' Offices
Draperies, Sales	Gasoline, Retail Sales
Drawing Materials Sales	Gift Shops
Dress Shop, Sales	Golf, Miniature
Dressmakers, Custom	Golf Clubs, Private
Drilling Companies Offices	Government Buildings
Drive - In Restaurants	Grocers Retail
Driving Schools, Auto	Guns, Sales
Drugless Physicians	Gunsmith, Repairs
Drugs (Compounding Only)	Gymnasiums, Private Commercial
Drugs, Retail Sales	Gymnasiums, Private Clubs or Institutional
Dry Cleaning Establishment (Depot Only)	Gymnasiums, Public
Dry Goods	Hairdressing
Electric Contractors' Offices	Halls, Assembly Institutional
Electric Equipment, Sales	Halls, Commercial
Electric Light and Power Companies, Offices	Halls, Public
Electric Appliances Repair	Hand Laundries, All Work In Premises
Electric Appliances Sales	(Chinenese)
Eleemosynary Building, Private	Hardware, Retail Sales, New and Used
Eleemosynary Building, Public	Harness Sales
Employment Agencies	Hat and Cap, Retail Sales
Engineers, Offices	Hat Cleaners and Renovators
	Health Center, Charitable or Institutional

City of North Little Rock, Arkansas

Health Center, Public	Meat and Fish Retail Sales
Health Food Products, Sales	Medical Clinics, Private Institutional
Heating Contractors' Offices	Medical Clinics, Public
Heating and Ventilating Apparatus, Sales	Men's Clothing Sales
Heliport	Merchandise Brokers' Office and Display
Hemstitching	Messenger Service
Herbs, Sales	Milk Bars (Refreshment Stands,
Hobby Shop	Except Roadside)
Home Furnishings Store	Milliners, Custom and Sales
Hosiery Sales and Repairing	Millenary and Dress Furnishing Shop
Hospital Service Organizations	Missions, Religious
Hospitals, Private	Model Construction Supplies Sales
House Furnishings, Sales	Monuments Sales and Display
Ice, Package, Sales	Motels
Ice Cream Shops	Motion Picture Equipment Sales and Display
Ice Skating Rink	Motion Picture Theaters
Ice Storage, Retail Distribution	Museums
Imported Goods, Retail Sales	Music Instruction, Commercial
Indexing Systems and Supplies, Sales	Musical Institutes and Foundations Noncommercial
Indian Goods, Wholesale and Retail	Musical Instruments, Repairing and Sales
Institute (Bible)	Naturopathic Physicians
Institutional Building	News Dealers
Insurance Offices	News Service
Interior Decorators, Display and Sales	News Stands
Jewelers, Retail Sales,	Newspapers Advertising Sales
Custom Manufacturing	Notions, Retail
Key Shops	Novelties, Retail
Labor Unions, Offices	Nurseries, Landscape
Laboratories, Clinical	Nut Shop
Laboratories, Dental	Office Building
Ladies Wear, Sales	Office Equipment Sales
Landscape Architects Offices	Office Furniture, Equipment and Supplies Sale
Laundries, Collecting Shops	Office Service
Laundries, Hand (Chinese)	(see page 2544 for explanation)
Laundries, Self Service	Oil Burners, Sales and Showroom
Lawn Furniture, Sales	Oil and Gas Stations
Lawn Mower Repair hops	Opera House, Civic Building
Lawyers, Offices	Opera House, Private Corp.
Leather Goods, Sales, Custom or Handicraft	Optician
Libraries, Institutional, Religious	Opticians, Sales
Libraries, Private, Rental	Optometrists, Sales
Libraries, Public	Orthopedic Shoe Repair
Linens, Sales	Osteopathic Physicians and Surgeons
Linoleum, Sales	Paint Varnish, Retail Sales
Loan Company Offices	Painting Contractors, Offices Only
Lodge Halls	Painting Equipment and Supplies Retail Sales
Luggage Sales	Parish House
Lunch Rooms	Parking Lots, Private
Machinery Dealers, Sales and Showrooms	Parks, Public
Magazine Sales	Pet Shops (Sales Only)
Market, Stock and Bond	Pharmacy
Massage Establishment	Philatelist

City of North Little Rock, Arkansas

Phonograph Records, Sales	Safes, Sales
Phonographs, Sales	Salvation Army
Photographers, Commercial Studios	Savings and Loan Association
Photographic Equipment Supplies Retail Sales	Schools, Art, Commercial
Photo - Printers, Retail	Schools, Art Institute
Photostat Print Shops	School, Beauty
Physical Therapy Clinic	Schools, Business and Commercial Private
Physicians' and Surgeons' Exchanges	Schools, Correspondence and Stenographic
Physicians' and Surgeons' Offices (Individual	Schools, Dancing, Private
Piano Sales	Schools, Health, Gymnastic, Private
Picture Framing Custom	Schools, Music, Private
Pipe Line Companies' Offices	Schools, Music Institutes
Plastic and Plastic Products Sales and Demos	Schools, Physically Handicapped
Playgrounds, Public	Schools, Private, Academic
Plumbing Fixtures and Supplies Display and S	Schools, Vocational
Police Station	Second Hand Goods, Personal And Furniture
Pool - Swimming, Public	Seed, Retail Garden Supplies
Pool - Swimming, Private, Commercial	Self - Service Laundry
Pool Hall	Service Station (Gasoline)
Popcorn, Dispensing Popped	Sewing Machines, Sales and Repairing
Post Office	Shoe Repairing
Poultry and Egg Store (No Slaughtering, Ect	Shoes, Retail Sales
Produce (Garden), Retail Sales	Shoeshine Stands
Property Management Offices	Shipping Company Office Only
Protection Service	Sightseeing Tours, Passenger Depot
Provident Association	Slot Car Racing Establishments
Public Relations Consultants	Social Centers
Publicity Service	Soft Drink Stand
Publishers' Office	Sorority Houses
Pumps, Retail Sales and Display	Sound Systems, Rental and Service
Radio, Retail Sales	Sound systems, Equipment Sales
Radio, Broadcasting Stations	Specialties Shops
Radio Repair Shop	Sporting Goods, Retail Sales
Radio Studios	Sportswear, Retail Sales
Ranges and Stoves, Sales	Stamp Dealers
Real Estate Sales Office	Stationers, Retail Sales
Recreation Centers, Public	Steamship Agency Office
Refreshment Stands (Non - Alcoholic and Not	Stenographers, Public
Refrigerators, Sales	Stock and Bond Brokers
Refrigerators, Servicing	Surveyors
Religious Art Goods Sales	Swimming Pools, Commercial
Resort Hotels	Swimming Pools, Public
Restaurants	Synagogue
Retail Markets	Tackle Shop, Marine Supplies
Retail Stores and Shops	Tailors, Custom
Riding Equipment Sales	Tax Consultants
Rink Skating	Taxicab Stands
Roller Skating Rink	Tea and Spice Retail Sales
Roofers, Contractors' Offices	Tea Rooms
Saddlery Shops, Custom Handmade	Telegraph Companies, Offices
Safe Depositories	Telephone Companies, Offices

City of North Little Rock, Arkansas

Television Sales and Repair
Tennis Courts, Public
Tents and Awnings, Sales
Theaters
Theatrical Agencies
Title Insurance Companies
Tobacco, Retail
Tourist Courts
Tours, Offices and Passenger Depots
Toys, Retail Sales
Travel Bureaus
Trust Companies
Umbrella Sales
United States Government Offices
Vacuum Cleaners, Sales and Repair
Variety Stores - Retail
Vegetable Market, Retail

Venetian Blinds and Window Shades,
Retail Sales
Veterinarians, Office Only
Vocational School
Wallpapers, Sales, Display
Washing Machines, Sales and Display Custom R
Watches, Sales and Repairing
Water Softening Equipment, Service and Repair
Weaving, Handicraft
Weaving and Mending Custom
Wheel Chairs, Rentals and Service
Window Shades, Sales And Repairing
Yacht Club, Private
Yacht Club, Public Facilities
Zoological Gardens, Public
Zoos, Private Commercial

Sec. 118-98. C-4 Trade Fair District.

- (a) **Description of district.** The C-4 district is a recognition of the unfortunate commercial strip development which has occurred along some of the highways in the city. The purpose of this district is to contain this commercial strip development, to permit infilling of vacant areas within the zone and by establishing standards of development to encourage owners and tenants to improve their properties, to remove some of the hazards that this type of development create and to promote developments that are pleasing to see, and to fit into the overall city and business pattern. The creation of this district is a recognition of what is and it should not be used to extend into other areas commercial strip development. This district is composed of certain land and structures used primarily to provide retailing and personal and recreational services and temporary housing, for nonresidents of the district and transients using the main arterial highways, to provide business services in support of the primary activities in the central business district and to provide locations for certain limited light industrial activities which require a higher degree of protection than is afforded in industrial districts. As a secondary function retailing and personal services may be provided to residents of nearby areas. The volume of pedestrian traffic in proportion to automobile traffic is relatively low. This district is usually located paralleling arterial highways or in areas adjacent to the central business district. Characteristically, it is large, and sometimes abuts residential districts. The regulations are designed to allow completion of development for permitted functions, limited by standards designed to protect the surrounding residential districts and to create well-designed and pleasing areas along highways. To these ends, the regulations establish standards retaining as low an intensity of use and concentration of vehicles as is compatible with the functioning of the district.
- (b) **Permitted structures.** Each lot shall have at least one front line and shall be occupied only by one structure containing a permitted use and such accessory buildings as are clearly incidental and normal to the permitted use, provided, however, that it shall not be a permanent residence.
- (c) **Permitted uses.** In the C-4 district only those uses specified under C-4 in the list of permitted uses, section 118-1 of these regulations, will be permitted.
- (d) **Dimensional requirements.** The lot for each permitted use shall comply with the following dimensional area requirements:
 - (1) **Lot width.** Each lot shall be not less than 100 feet wide at the front building line.
 - (2) **Lot area.** The lot area shall be not less than 10,000 square feet, and shall provide not less than 50 percent of the area as unobstructed open space.

- (3) **Minimum front yard.** All structures shall be set back a distance of not less than 40 feet from the front property line or as required in other ordinances, whichever is the greater. At least one additional foot of setback shall be provided for each foot that a building on the lot exceeds 35 feet.
- (4) **Side yards.** No side yards are required except where the zone abuts a residential area, in which case a side yard of 15 feet is required on the side or sides abutting the residential area; provided, however, that where the zone abuts a street the side yard setback established for that street shall be maintained or the setback shall be as required by other ordinances, whichever is greater. In all other cases where side yards are provided they shall be not less than eight feet in width.
- (5) **Minimum rear yard.** There shall be a rear yard having a depth of not less than 20 feet; provided that, where the rear lot line abuts an alley and the property on the other side of the alley is not within a residential zone, then the minimum rear yard requirement shall be a depth of not less than 15 feet. Where the rear lot line abuts onto a street the rear building line shall be the building setback line established for that street.
- (6) **Location of accessory buildings.** No accessory building shall be located on any required front or side yards, or within five feet of any lot line, that is not a street line. Fences up to 96 inches in height may be erected along any boundary of the side yards or rear yard from the rear of the lot forward to the rear of the main structure. A fence 60 inches in height may be erected along the side yards from the rear of the main structure forward to the front building line. Any fence or screen constructed in the required front yard must have planning commission approval as to location, height, material and construction.
- (7) **Screens.** All C-4 uses shall provide a screen between abutting residential or C-1 business areas, so as to protect these areas by day and by night from unreasonable disturbance by movement of people or vehicles, and from lights, noises or exposure to views not compatible with these areas. Such screens shall be pleasing in design, and of a substantial material, easily maintained.
- (e) **Off-street parking.** The provisions of section 118-178, Off-street parking requirements, shall be in full force and effect in this district. Owners and tenants will be encouraged to develop well-located and landscaped joint parking areas.
- (f) **Off-street loading requirements.** The provisions of section 118-179, Off-street loading requirements, shall be in full force and effect in this district.

- (g) ***Corner visibility.*** On a corner lot, within the areas formed by the right-of-way lines of intersecting streets and a line joining points on such right-of-way lines at a distance of 25 feet from their intersection, there shall be no obstruction to vision between a height of two feet and a height of ten feet above the average grade of each street at the centerline thereof, except that street name signs, fire hydrants, street lighting poles and associated appurtenances thereto shall be permitted within this area.
- (h) ***Planned building groups.*** The provisions of section 118-180, Planned building groups, shall be in full force and effect in the C-4 district.
- (i) ***District designation and development plan provisions.*** The provisions of the general regulations for commercial districts, sections 118-221 through 18-224 inclusive, shall be in full force and effect in the C-4 district.

(Ord. No. 3171, § 702.2-4, 3-26-62; Ord. No. 3914, § 1, 4-26-71)

C-4 Allowed Uses

Abstractors	Auction
Academy, Dancing	Auctioneer's Auditorium
Accountants	Auditorium, Private Institutional
Accessories and Apparel Store	Auditorium, Public
Acoustical Material Manufacturing	Auditorium, Theaters and Commercial
Adjusters	Auto Courts
Advertising Display Manufacturing	Automobiles Bodies, Sales (New)
Advertising Offices, Agencies	Automobiles Garages, Drive - Yourself
Advertising Photo Studios	Automobiles Garages, Public
Agricultural Implements Dist and Display	Automobiles, Laundry
Agricultural Implements Repair And Service	Automobiles, Laundry Four (4) Stall Max Se
Agricultural Implements Sales	Automobiles Outdoor Sales Lot
Air Condition Equipment Custom Fabrication and	Automobiles Parking (Commercial)
Air Express Service	Automobiles, Parts and Supplies (New) Sales
Airline Companies Office	Automobiles, Parts and Supplies (Used)
Airplane Beacons	Automobiles Rentals (Garage)
Airplane Markers	Automobiles Repair - Brake, Electric, Paint,
Airplane Sales and Display	Automobiles, Sales From Show Rooms
Ambulance Service Garages	Automobiles, Service Stations
Amphitheater Commercial	Automobiles, Show Rooms
Amphitheater Municipal	Automobiles Storage Live
Amusement Arcades	Awnings Fabrication
Antique Sales	Baby Shops
Apartment Hotels	Bakers and Baked Goods, Manufacturing
Appliance Store	Bakery Store Manufacturing Limited To Goods
Apparel and Accessories Store	Ballrooms
Appraisers	Balls and Bearings Sales
Apothecary	Balls and Bearings Storage
Aquarium Including, But Not Restricted To Sales	Band Shell
Architects	Bank and Trust Companies
Armored Car Service Garages	Barbecue, Stand Roadside Sales
Armored Car Service Office	Barbers
Army and Navy Goods Sales	Barber's Supplies Distribution Dealers
Art Gallery, Commercial Sales	Baseball Park, Public
Art Museum, Municipal	Bath House, Private Commercial
Art Museum, Private	Bathroom Accessories Display and Sales
Art Needle Work	Baths, Mineral Springs
Art School, Commercial	Baths, Public
Art School Institute (Public)	Baths, Turkish (Private)
Artificial Limbs Manufacturing	Battery Service
Artificial Limbs Sales and Service	Beauty Culture Schools
Artists, Commercial and Display	Beauty Shop Equipment Sales
Artists, Materials and Supplies	Beauty Shops
Asbestos Products, Sale	Beer Parlors
Asphalt Siding, Shingles, Roofing Storage	Beverages, Bottling
Assembly Halls	Beverages, Wholesale and Storage
Associations, Clubs and Lodge (Private)	Bible Institute
Athletic Clubs	Bible Sales

City of North Little Rock, Arkansas

Bicycle, Repair	Carpet Layers
Bicycle, Sales	Carpet and Rug Cleaners and Storage
Billiard Parlors	Carpets and Rugs, Wholesale
Blacksmiths	Caskets, Retail Sales
Blood Banks	Caterers
Blue Printing and Supplies	Cesspool Builders and Service Offices
Boardwalk, Amusement, Commercial	Chairs, Folding, Rental
Boats, Motors, Accessories (Sales)	Chairs, Physiotherapy Sales
Boat, Pleasure, Storage	Chandler, Ship's
Boat Club	Child Care Center and Play School
Boat Manufacturing	Children's and Infant's Wear, Sales
Bolts and Nuts, Sales (Hardware)	Chinese Laundry
Bonding Companies	Chiropodists
Book Store	Chiropractors
Bookbinders	Christian Science Practitioners
Book Publishing, Offices	Christian Science Reading Room
Booksellers	Churches and Sunday School Buildings
Botanical Gardens	Cigar Stores
Bottlecaps and Seals, Sales	Cigarette Service
Bottles, Wholesale	Cigars, Wholesale and Storage
Bowling Alleys	City Buildings
Braces, Orthopedic Manufacturing	Cleaners and Shirt Laundries
Braces, Orthopedic Sales	Cleaning and Dyeing Distribution Shops
Broadcasting Studio	Cleaning and Dyeing Processing
Brokerage House	Clinics, Private
Brushes, Sales	Clinics, Public
Building Contractor Equipment and Material Storage	Clubs, Private, Social, or Fraternal
Building Contractors' Offices	Clubs, Supper and Amusement
Building and Loan Associations	Cocktail Lounges
Buildings, Office	Coin Dealers
Burglar Alarm Installation	Coin Machines Rental and Service
Burglar Alarm Watching Service	Cold Storage
Bus Line Depots, Inter City	Coliseum, Private Commercial
Business College (Private)	Collection Agencies
Business Machines Distribution and Sales	College, Private
Business Machines Repair and Service	College, Public
Business Machines Storage and Wholesale	Comfort Stations
Butcher's Shops	Commission House, Office
Butcher's Supplies and Sales	Confectioners, Manufacturing
Button Covering (Fabrics)	Confectioners, Retail
Cabinet Makers	Confectioners, Wholesale
Cafes (Restaurants Only)	Conservatory, Commercial Botanical
Cafes (Selling Alcoholic Beverages)	Contractors, Office
Camera Fabrication	Conveyors Sales
Camera Shop	Corsets and Brassieres, sales
Candy Manufacturing	Cosmetics, Compounding Only
Candy Shops (Retail)	Costumes Rentals
Canvas Goods (Fabrication)	County Buildings
Canvas Goods Sales	Credit Reporting Bureaus
Carpenter's Contractor's Office	Credit Union Bureaus
Carpenter's Shops and Power Woodworking	Crockery Sales

City of North Little Rock, Arkansas

Curio Shops	Eleemosynary Building, Private
Dairies, Retail Sales of Products	Eleemosynary Building, Public
Dairy Products, Sales	Embalming Establishment
Dance Hall	Employment Agencies
Dance Instruction	Engineers, Offices
Decoration, Display Room and Office	Engravers
Decoration, Workshop Equipment Yard	Entertainment Bureaus
Delicatessens	Exhibition Buildings Commercial
Delivery Service Office	Exhibition Buildings Public
Dental Laboratories	Express Companies, Office Only
Dental Supplies	Exterminating and Fumigating, Commercial Shop
Dentist	Fallout Shelter
Department Stores	Farm Labor Contractors
Desks, Sales	Federal Offices
Detective Agencies	Feed, Retail Distribution and Sales Offices
Diaper Supply Service	Filling Station, Gasoline
Diesel Engines, Service, Equipment and Supplies	Finance Company, Loan Offices
Disinfectants, Storage and Wholesale	Fire Protection Equipment and Supplies Sales
Dispensary, Private Clinic	Fire Station
Dispensary, Public	Firewood Storage
Display Designers and Builder's Shops	Fish, Wholesale
Distributing Service, Garages	Fish Markets, Public
Doctor's Office	Fish Store, Retail
Dolls, Repairing	Fishing Tackle Fabrication
Dormitory Buildings (Institutional)	Flags and Banners, Manufacturing
Draperies, Sales	Floor Materials and Laying, Sales
Drawing Materials Sales	Floor Refinishing Contractors, Shop
Dress Shop, Sales	Florist Greenhouses and Nurseries
Dressmakers, Custom	Florists, Sales
Drilling Companies Offices	Food Products, Brokers and Distributors
Drive - In Markets	Food Products, Retail Sales
Drive - In Restaurants	Fraternity Houses
Drive - In Theaters	Freight Depot
Driving Schools, Auto	Freight Traffic Service Offices
Drugless Physicians	Fruit Stores, Retail
Drugs (Compounding Only)	Fruit and Vegetable Market, Retail
Drugs, Retail Sales	Fruit and Vegetable Market, Wholesale
Drugs Wholesale Storage	Fuel Distribution Station Gasoline
Dry Cleaning Establishment (Depot Only)	Funeral Directors
Dry Cleaning Establishment, Bulk Processing	Funeral Parlors, Homes
Dry Goods	Fur Dying, Finishing and Apparel (No Tannin
Dry Goods Wholesale or Storage	Fur Warehouse Fur Garments
Dying, Commercial Bulk	Furnaces, Cleaning and Repairing Shops
Dying, Custom	Furnaces, Display and Sales
Electric Contractors' Offices	Furnaces, Custom Fabrication
Electric Equipment, Sales	Furniture, Display and Sales
Electric Light and Power Companies, Offices	Furniture, Custom Fabrication
Electric Refrigeration Lockers	Furniture, Cleaners
Electric Appliances Repair	Furniture, Display and Sales
Electric Appliances Sales	Furniture, Repairing and Finish
Electric Appliances Wholesale	Furniture, Sales

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Furniture, Used	Hospitals, Private
Furniture, Wholesale and Storage	Hospitals, Public
Furs, Custom Cleaning, Remodeling, Repair and	Hotel Equipment Equipment, Supplies and Sale
Furs, Manufacturing, Cutting and Assembly	Hotels
Furs, Retail Sales	House Furnishings, Sales
Garage, Equipment Sales	Household Appliances, Sales
Garage, Repair	Ice, Package, Sales
Garage, Public Storage	Ice Cream, Manufacturing
Gardening Supplies, Packaged Fertilizers Only	Ice Cream Shops
Gas Appliances, Sales	Ice Skating Rink
Gas Companies' Offices	Ice Storage, Retail Distribution
Gasoline, Retail Sales	Imported Goods, Retail Sales
Gift Shops	Indexing Systems and Supplies, Sales
Glass Products From Glass Stock	Indian Goods, Wholesale and Retail
Golf, Miniature	Infirmery, Public
Golf Clubs, Private	Infirmery, Private
Government Buildings	Ink Mixing and Packaging
Greenhouses (Commercial)	Institute (Bible)
Grocers Retail	Institutional Building
Grocers Warehouse	Insurance Offices
Grocers Wholesale	Interior Decorators, Display and Sales
Guest Homes	Interior Decorators, Workshops
Guns, Sales	Janitors' Supplies, Storage and Warehouse
Gunsmith, Repairs	Jewelers, Retail Sales, Custom Manufacturing
Gymnasiums, Private Commercial	Key Shops
Gymnasiums, Private Clubs or Institutional	Labor Unions, Offices
Gymnasiums, Public	Laboratories, Clinical
Hairdressing	Laboratories, Dental
Halls, Assembly Institutional	Ladies Wear, Sales
Halls, Commercial	Landscape Architects Offices
Halls, Public	Laundries, Collecting Shops
Hand Laundries, All Work In Premises (Chine	Laundries, Hand (Chinese)
Hardware, Retail Sales, New and Used	Laundries, Self Service
Hardware, Wholesale	Laundry Equipment and Supplies Storage
Harness Repair	Lawn Furniture, Sales
Harness Sales	Lawn Mower Repair hops
Hat and Cap, Retail Sales	Lawyers, Offices
Hat Cleaners and Renovators	Leather Goods, Sales, Custom or Handicraft
Health Center, Charitable or Institutional	Libraries, Institutional, Religious
Health Center, Public	Libraries, Private, Rental
Health Food Products, Sales	Libraries, Public
Heating Contractors' Offices	Limb (Artificial) Manufacturing
Heating and Ventilating Apparatus, Sales	Linens, Sales
Heliport	Linoleum, Sales
Hemstitching	Linoleum, Storage
Herbs, Sales	Liquor, Dispensing Bar
Hobby Shop	Liquor, Package Sales
Home Furnishings Store	Liquor. Storage and Wholesale
Horseshoeing	Lithographers
Hosiery Sales and Repairing	Livery Stables
Hospital Service Organizations	Livestock Sales and Shipping

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Livestock, Supplies, Storage and wholesale	Notions, Retail
Loan Company Offices	Novelties, Retail
Loan or Pawn Shops	Nurseries, Landscape
Lockers, Food Storage (No Processing)	Nut Shop
Locksmith Repair Shops	Nuts, Edible, Processing
Lodge Halls	Office Building
Luggage Sales	Office Equipment Sales
Lumber, Cabinet Working	Office Furniture, Equipment and Supplies Sale
Lumber, Storage Yard	Office Service (see page 2544 for explanation
Lunch Rooms	Oil Burners, Sales and Showroom
Machinery Dealers, Sales and Showrooms	Oil and Gas Stations
Magazine Sales	Opera House, Civic Building
Mail Order House	Opera House, Private Corp.
Market, Stock and Bond	Optical Goods, Manufacturing
Massage Establishment	Optician
Meat and Fish Retail Sales	Opticians, Sales
Meat and Fish Wholesale Market	Optometrists, Sales
Medical Clinics, Private Institutional	Orthopedic Appliances, Manufacturing
Medical Clinics, Public	Orthopedic Shoe Repair
Men's Clothing Sales	Osteopathic Physicians and Surgeons
Merchandise Brokers' Office and Display	Outdoor Theaters, Commercial
Messenger Service	Outdoor Theaters, Public
Metals, Sharpening	Oxygen Equipment, Rental and Distribution
Milk Bars (Refreshment Stands, Except Roadside	Package (Liquor) Store
Milliners, Custom and Sales	Paint Varnish, Retail Sales
Millenary and Dress Furnishing Shop	Painters' Equipment and Supplies Shops Wholes
Milling Equipment, Showrooms, Sales	Painting Contractors, Offices Only
Mineral Water Distillation and Bottling	Painting Equipment and Supplies Retail Sales
Mirrors, Resilvering Custom Work	Palmistry
Missions, Religious	Paper Products, Wholesale and Storage
Model Construction Supplies Sales	Parish House
Monastery	Parking Lots, Private
Monuments Sales and Display	Parking Lots, Commercial
Mortuary	Parks, Public
Motels	Parochial Schools
Motion Picture Equipment Sales and Display	Pawnbroker
Motion Picture Theaters	Penny Arcades
Motor Freight, Company Offices	Pet Shops (Sales Only)
Motorcycles, Repairing and Sales	Pharmacy
Multigraphing, Commercial	Philatelist
Museums	Phonograph Records, Sales
Music Instruction, Commercial	Phonographs, Sales
Musical Institutes and Foundations Noncommercial	Photo - Engraving Company
Musical Instruments, Repairing and Sales	Photographers, Commercial Studios
Naturopathic Physicians	Photographic Supplies Fabrication
Naval Supplies, Sales, Army or Navy (Not S	(No Film)
News Dealers	Photographic Equipment Supplies Retail Sales
News Service	Photo - Printers, Retail
News Stands	Photostat Print Shops
Newspapers Advertising Sales	Physical Therapy Clinic
Newspaper Printing	Physicians' and Surgeons' Exchanges
	Physicians' and Surgeons' Offices (Individual

City of North Little Rock, Arkansas

Piano Sales	Riding Equipment Sales
Piano Tuning, Repairing	Rink Skating
Picture Framing Custom	Roadside Sales Stand, Food And Agricultural
Pies, Bulk, Commercial Bakery	Roadside Sales Stand, Food and Drink
Pipe Line Companies' Offices	Roadside Sales Stand, Souvenirs
Plastic and Plastic Products Sales and Demos	Roller Skating Rink
Playgrounds, Public	Roofers, Contractors' Offices
Plumbers' Shop	Rubber Stamps Manufacturing
Plumbing Fixtures and Supplies	Rug Cleaners
Display and Sale	Saddlery Shops, Custom Handmade
Police Station	Safe Depositories
Pool - Swimming, Public	Safes, Sales
Pool - Swimming, Private, Commercial	Saloon
Pool Hall	Salvation Army
Popcorn, Dispensing Popped	Savings and Loan Association
Popcorn, Dispensing Un - Popped	Scales, Commercial Weighing
Post Office	Schools, Art, Commercial
Poster Illustration, Studio	Schools, Art Institute
Poultry and Egg Store (No Slaughtering, Ect	School, Beauty
Poultry Supplies, Wholesale and Storage	Schools, Business and Commercial Private
Pressing Shops	Schools, Correspondence and Stenographic
Printers	Schools, Dancing, Private
Produce (Garden), Retail Sales	Schools, Health, Gymnastic, Private
Produce (Garden), Wholesale	Schools, Music, Private
Property Management Offices	Schools, Music Institutes
Protection Service	Schools, Physically Handicapped
Provident Association	Schools, Private, Academic
Public Relations Consultants	Schools, Public, Trade
Public Storage Garages	Schools, Vocational
Publicity Service	Screens, Doors and Windows, Manufacturing
Publishers' Office	Second Hand Goods, Personal And Furniture
Pumps, Repairing and Rental	Seed, Retail Garden Supplies
Pumps, Retail Sales and Display	Seed, Wholesale Sales
Radio, Retail Sales	Self - Service Laundry
Radio, Broadcasting Stations	Service Station Equipment, Wholesale
Radio Repair Shop	Service Station (Gasoline)
Radio Studios	Sewing Machines, Sales and Repairing
Railroad Agents	Shoe Repairing
Ranges and Stoves, Sales	Shoe Repairing Equipment and Supplies Wholesale
Real Estate Sales Office	Shoes, Retail Sales
Recreation Centers, Public	Shoeshine Stands
Refreshment Stands	Shooting Gallery
(Non - Alcoholic and Not	Shipping Company Office Only
Refrigerators, Sales	Sightseeing Tours, Passenger Depot
Refrigerators, Servicing	Sign Painters, Shops
Refrigerators, Wholesale, Storage	Signs, Maintenance Service Shop
Religious Art Goods Sales	Skating Rink
Resort Hotels	Slip Covers, Custom Manufacturing
Restaurant Equipment and Supplies Sales	Slot Car Racing Establishments
Restaurants	Soaps, Wholesale and Storage
Retail Markets	Social Centers
Retail Stores and Shops	

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Soda Fountain Supplies, Wholesale	Towels, Supply Service
Soda Water Manufacturing	Toys, Retail Sales
Soft Drink Stand	Tractors, Retail Sales and Display
Sorority Houses	Trailer Camps and Courts
Sound Systems, Rental and Service	Trailers, Repairing
Sound systems, Equipment Sales	Trailers, Sales
Specialties Shops	Transfer Business
Sporting Goods, Retail Sales	Travel Bureaus
Sportswear, Retail Sales	Truck Freight Movers (See Express, Also)
Stables	Trucks, Custom Repair and Retail Sales
Stamp Dealers	Trust Companies
Stationers, Retail Sales	Umbrella Sales
Steam Baths, Private	Undertakers
Steamship Agency Office	Uniforms, Rental
Stenographers, Public	United States Government Offices
Stock and Bond Brokers	Upholsterers, Custom
Stock and Bond Market (Exchange)	Upholsterers, Supplies Sales
Surgical Supplies Wholesale Dist	Vacuum Cleaners, Sales and Repair
Surveyors	Variety Stores - Retail
Swimming Pools, Commercial	Vegetable Market, Retail
Swimming Pools, Public	Vegetable Market, Wholesale
Synagogue	Venetian Blinds, Custom Manufacturing Installation
Tackle Shop, Marine Supplies	Venetian Blinds and Window Shades,
Tailors, Custom	Retail Sales
Taverns	Veterinarians, Office Only
Tax Consultants	Veterinarians, Supplies Sales
Taxicab Garages	Vocational School
Taxicab Stands	Wagon Shop, Repairs
Taxidermists	Wall Board, Wholesale and Storage
Tea and Spice Retail Sales	Wallpapers, Sales, Display
Tea Rooms	Washing Machines, Sales and Display Custom R
Telegraph Companies, Offices	Watches, Sales and Repairing
Telephone Companies, Offices	Water, Mineral, Drinking or Curative Bottle /
Television Sales and Repair	Water Coolers (Drinking Fountains), Repair
Tennis Courts, Public	Water Heaters, Service and Repair
Tents and Awnings, Manufacturing	Water Softening Equipment, Service and Repair
Tents and Awnings, Sales	Weaving, Handicraft
Termite Control Contractors Shops	Weaving and Mending Custom
Terrazzo Contractor Shops	Weighers, Commercial
Theaters	Welding, Commercial
Theaters, Outdoor (Drive - In)	Welding, Equipment and Supplies, Storage
Theatrical Agencies	Welding Shop
Tire Repairing, Equipment and Supplies	Wheel Chairs, Rentals and Service
Title Insurance Companies	Wholesale Produce Storage or Market, Commercial
Tobacco, Retail	Wholesale Nursery
Tombstone, Sales and Display	Window Cleaners Service
Tool Grinding and Sharpening	Window Display Installation, Studio and Shops
Tools, Wholesale and Dist	Window Glass Installation Shop
Tourist Courts	Window Shades, Sales And Repairing
Tourist Homes	Wines, Package Retail Sales
Tours, Offices and Passenger Depots	Wines, Storage, Distribution and Bottling
	Wood, Storage Yard

City of North Little Rock, Arkansas

Woodworking, Cabinet and Custom Mill Work	Y M H A
Woodworking, Equipment, Wholesale	Y W H A
Yacht Club, Private	Zoological Gardens, Public
Yacht Club, Public Facilities	Zoos, Private Commercial
Y M C A	
Y W C A	

Sec. 118-99. C-5 Central Business District.

- (a) **Description of district.** The C-5 central business district is composed of certain land and structures used primarily to provide retailing and personal and business service of all kinds satisfying the needs of transients generally and of the residents, business and industry of the metropolitan area and the outlying trade area, plus wholesaling and limited manufacturing in support of the primary functions. The volume of pedestrian traffic in proportion to the volume of automobile and public transit traffic entering the district is very low. This district is located at the area of convergence of the main arterial highways and transit lines, is large, is usually surrounded by nonresidential districts or by high-density residential districts and is centrally located with respect to the metropolitan area. The regulations are designed to permit a highly concentrated, intensive development of the permitted facilities, limited by standards designed to provide light and air for street exposures of buildings in the district and to protect the district itself from over-intensive development of land coverage and over-congestion as related to the ultimate capacity of common public facilities which serve the entire district. Because transit facilities are centered in this district and because the provision of off-street parking is a recognized, separate business enterprise, the regulations do not require the furnishing of off-street parking space; but in the interest of the individual business venture and the central business district as a whole, individuals or groups are encouraged to provide adequate off-street parking. Where extensions, redevelopment or new areas of this C-5 district are proposed and they exceed 100,000 square feet in area, then the owners and developers shall submit a complete development plan for the extension, redevelopment or new area, as provided for in the general commercial provisions. Although existing downtown areas have developed without benefit of setbacks, off-street parking areas or landscaping, all owners and tenants in downtown areas are encouraged to incorporate these improvements in any individual or group development of lots in the downtown C-5 district.
- (b) **Permitted structures.** Each lot shall have at least one front line and shall be occupied only by structures containing permitted uses, and such accessory buildings as are clearly incidental and normal to the permitted use.
- (c) **Permitted uses.** In the C-5 district only those uses specified under C-5 in the list of permitted uses, section 118-1 of these regulations, will be permitted.
- (d) **Dimensional requirements.** The lot for each permitted use shall comply with the following dimensional and area requirements:
 - (1) **Lot width.** Each lot shall be not less than 25 feet wide at the front building line.
 - (2) **Lot area.** The lot area shall be not less than 2,500 square feet.

- (3) **Minimum front yard.** There shall be no front yard requirements for the C-5 district other than the following:
 - a. A front yard is required where other ordinances require a setback.
 - b. A front yard is required in compliance with the provisions of an adjoining district where a part of the frontage is in a district requiring front yards.
 - c. If a building on a lot exceeds 90 feet in height, all buildings on the lot will be set back from the property line at least one foot for each foot that a building on the lot exceeds 90 feet in height.
- (4) **Minimum side yards.** No side yards shall be required under this chapter, but they shall be provided if required under other ordinances or in compliance with the provisions of an adjoining district where a part of the side yard is in that district. If a side yard or yards are provided, they shall be not less than eight feet in width.
- (5) **Minimum rear yard.** There shall be a rear yard having a depth of not less than ten feet, provided, however, that this yard may be built over by upper floors of the same structure at a height of not less than 15 feet from the alley or adjacent street level, and further provided that, where the rear yard abuts a street which has a front yard requirement, this setback shall be maintained.
- (6) **Maximum gross floor area of structures.** The sum total of the gross floor area of all structures on a lot, including garage space, shall not be greater than ten times the area of the lot on which the structures are located.
- (7) **Off-street parking.** The provisions of section 118-178, Off-street parking requirements, shall be of no force and effect in this C-5 district, unless otherwise mentioned herein.
- (8) **Off-street loading requirements.** The provisions of section 118-179, Off-street loading requirements, shall be in full force and effect in this district.
- (9) **Planned building groups.** The provisions of section 118-180, Planned building groups, may be applied in the C-5 district.
- (10) **District designation and development plan provisions.** The provisions of the general regulations for commercial districts, sections 118-221 through 118-224 inclusive, shall be in full force and effect in the C-5 district.

(Ord. No. 3171, § 702.2-5, 3-26-62; Ord. No. 3914, § 1, 4-26-71)

C-5 Allowed Uses

Abstractors	Athletic Fields, City Property
Academy, Dancing	Athletic Fields, Private Property
Accountants	Auction
Accessories and Apparel Store	Auctioneer's Auditorium
Adjusters	Auditorium, Private Institutional
Advertising Display Manufacturing	Auditorium, Public
Advertising Offices, Agencies	Auditorium, Theaters and Commercial
Advertising Photo Studios	Auto Courts
Agricultural Implements Distribution and Disp	Automobiles Bodies, Sales (New)
Agricultural Implements Repair And Service	Automobiles Garages, Drive - Yourself
Agricultural Implements Sales	Automobiles Garages, Public
Air Express Service	Automobiles, Laundry
Air Express Service Garage	Automobiles, Laundry Four (4) Stall Max Se
Air Express Service Warehouse	Automobiles Outdoor Sales Lot
Airline Companies Office	Automobiles Parking (Commercial)
Airplane Beacons	Automobiles, Parts and Supplies (New) Sales
Airplane Markers	Automobiles, Parts and Supplies (Used)
Airplane Sales and Display	Automobiles Rentals (Garage)
Ambulance Service Garages	Automobiles Repair - Brake, Electric, Paint,
Amphitheater Commercial	Automobiles, Sales From Show Rooms
Amphitheater Municipal	Automobiles, Service Stations
Amusement Arcades	Automobiles, Show Rooms
Antique Sales	Automobiles Storage Live
Apartment Hotels	Awnings Fabrication
Appliance Store	Baby Shops
Apparel and Accessories Store	Bakers and Baked Goods, Manufacturing
Appraisers	Bakery Store Manufacturing Limited To Goods
Apothecary	Ball Parks (Commercial)
Aquarium Including, But Not Restricted To Sales	Ball Field
Architects	Ballrooms
Armored Car Service Garages	Balls and Bearings Sales
Armored Car Service Office	Balls and Bearings Storage
Army and Navy Goods Sales	Band Shell
Art Gallery, Commercial Sales	Bank and Trust Companies
Art Museum, Municipal	Barbecue, Stand Roadside Sales
Art Museum, Private	Barbers
Art Needle Work	Barber's Supplies Distribution Dealers
Art School, Commercial	Baseball Park, Private
Art School Institute (Public)	Baseball Park, Public
Artificial Limbs Manufacturing	Bath House, Private Commercial
Artificial Limbs Sales and Service	Bathroom Accessories Display and Sales
Artists, Commercial and Display	Baths, Turkish (Private)
Artists, Materials and Supplies	Battery Service
Asbestos Products, Sale	Beauty Culture Schools
Asphalt Siding, Shingles, Roofing Storage and	Beauty Shop Equipment Sales
Assembly Halls	Beauty Shops
Associations, Clubs and Lodge (Private)	Beer Parlors
Athletic Clubs	Beverages, Bottling
	Beverages, Wholesale and Storage

City of North Little Rock, Arkansas

Bible Institute	Carpet Layers
Bible Sales	Carpet and Rug Cleaners and Storage
Bicycle, Repair	Carpets and Rugs, Warehouse
Bicycle, Sales	Carpets and Rugs, Wholesale
Billiard Parlors	Caskets, Retail Sales
Blacksmiths	Caterers
Blood Banks	Cesspool Builders and Service Offices
Blue Printing and Supplies	Chairs, Folding, Rental
Boardwalk, Amusement, Commercial	Chairs, Physiotherapy Sales
Boats, Motors, Accessories (Sales)	Chandler, Ships
Boat, Pleasure, Storage	Child Care Center and Play School
Boat Club	Children's and Infant's Wear, Sales
Bolts and Nuts, Sales (Hardware)	Chinese Laundry
Bonding Companies	Chiropodists
Book Store	Chiropractors
Bookbinders	Christian Science Practitioners
Book Publishing, Offices	Christian Science Reading Room
Book Publishing, Printing	Churches and Sunday School Buildings
Booksellers	Cigar Stores
Botanical Gardens	Cigarette Service
Bottlecaps and Seals, Sales	Cigars, Wholesale and Storage
Bottles, Wholesale	City Buildings
Bowling Alleys	Cleaners and Shirt Laundries
Braces, Orthopedic Manufacturing	Cleaning and Dyeing Distribution Shops
Braces, Orthopedic Sales	Cleaning and Dyeing Processing
Broadcasting Station	Clinics, Private
Broadcasting Studio	Clinics, Public
Brokerage House	Clubs, Private, Social, or Fraternal
Brushes, Sales	Clubs, Supper and Amusement
Building Contractors' Offices	Cocktail Lounges
Building and Loan Associations	Coin Dealers
Buildings, Office	Coin Machines Rental and Service
Burglar Alarm Installation	Cold Storage
Burglar Alarm Watching Service	Coliseum, Private Commercial
Bus Line Depots, Inter City	Collection Agencies
Business College (Private)	College, Private
Business Machines Distribution and Sales	College, Public
Business Machines Repair and Service	Commission House, Office
Machine Machines Storage and Wholesale	Confectioners, Manufacturing
Butcher's Shops	Confectioners, Retail
Butcher's Supplies and Sales	Confectioners, Wholesale
Button Covering (Fabrics)	Conservatory, Commercial Botanical
Cafes (Restaurants Only)	Consulates
Cafes (Selling Alcoholic Beverages)	Contractors, Office
Camera Fabrication	Conveyors Sales
Camera Shop	Corsets and Brassieres, sales
Candy Manufacturing	Cosmetics, Manufacturing
Candy Shops (Retail)	Cosmetics, Compounding Only
Canvas Goods (Fabrication)	Costumes Rentals
Canvas Goods Sales	County Buildings
Carpenter's Contractor's Office	Credit Reporting Bureaus

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Credit Union Bureaus	Eleemosynary Building, Private
Crockery Sales	Eleemosynary Building, Public
Curio Shops	Embalming Establishment
Dairies, Retail Sales of Products	Employment Agencies
Dairy Products, Sales	Engineers, Offices
Dance Hall	Engravers
Dance Instruction	Entertainment Bureaus
Decoration, Display Room and Office	Exhibition Buildings Commercial
Decoration, Workshop Equipment Yard	Exhibition Buildings Public
Delicatessens	Express Companies, Garages
Delivery Service Office	Express Companies, Office Only
Dental Laboratories	Exterminating and Fumigating, Commercial Shop
Dental Supplies	Fallout Shelter
Dentist	Farm Labor Contractors
Department Stores	Federal Offices
Department Stores, Warehouse	Feed, Retail Distribution and Sales Offices
Desks, Sales	Ferry Docks, Passenger
Detective Agencies	Filling Station, Gasoline
Diaper Supply Service	Finance Company, Loan Offices
Disinfectants, Storage and Wholesale	Fire Protection Equipment and Supplies Sales
Dispensary, Private Clinic	Fire Station
Dispensary, Public	Firewood Storage
Display Designers and Builder's Shops	Fish Markets, Public
Distributing Service, Garages	Fish Store, Retail
Doctor's Office	Fishing Tackle Fabrication
Dolls, Repairing	Flags and Banners, Manufacturing
Dormitory Buildings (Institutional)	Floor Materials and Laying, Sales
Draperies, Sales	Floor Refinishing Contractors, Shop
Drawing Materials Sales	Florists, Sales
Dress Shop, Sales	Food Products, Brokers and Distributors
Dressmakers, Custom	Food Products, Retail Sales
Drilling Companies Offices	Fraternity Houses
Drive - In Markets	Freight Depot
Drive - In Restaurants	Freight Traffic Service Offices
Driving Schools, Auto	Fruit Stores, Retail
Drugless Physicians	Fruit and Vegetable Market, Retail
Drugs (Compounding Only)	Fuel Distribution Station Gasoline
Drugs, Retail Sales	Funeral Directors
Drugs Wholesale Storage	Funeral Parlors, Homes
Dry Cleaning Establishment (Depot Only)	Fur Dying, Finishing and Apparel (No Tannin
Dry Cleaning Establishment, Bulk Processing	Fur Warehouse Fur Garments
Dry Goods	Furnaces, Cleaning and Repairing Shops
Dry Goods Wholesale or Storage	Furnaces, Display and Sales
Dying, Commercial Bulk	Furniture, Custom Fabrication
Dying, Custom	Furniture, Cleaners
Electric Contractors' Offices	Furniture, Display and Sales
Electric Equipment, Sales	Furniture, Sales
Electric Light and Power Companies, Offices	Furniture, Used
Electric Appliances Repair	Furniture, Wholesale and Storage
Electric Appliances Sales	Furs, Custom Cleaning, Remodeling, Repair and
Electric Appliances Wholesale	Furs, Manufacturing, Cutting and Assembly

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Furs, Retail Sales	Ice Cream Shops
Garage, Equipment Sales	Ice Skating Rink
Garage, Repair	Ice Storage, Retail Distribution
Garage, Public Storage	Imported Goods, Retail Sales
Gardening Supplies, Packaged Fertilizers Only	Indexing Systems and Supplies, Sales
Gas Appliances, Sales	Indian Goods, Wholesale and Retail
Gas Companies' Offices	Infirmaries, Public
Gasoline, Retail Sales	Infirmaries, Private
Gift Shops	Ink Mixing and Packaging
Glass Blowing, Custom	Institute (Bible)
Glass Products From Glass Stock	Institutional Building
Golf, Miniature	Insurance Offices
Government Buildings	Interior Decorators, Display and Sales
Grocers Retail	Interior Decorators, Workshops
Grocers Wholesale	Janitors' Supplies, Storage and Warehouse
Guns, Sales	Jewelers, Retail Sales, Custom Manufacturing
Gunsmith, Repairs	Key Shops
Gymnasiums, Private Commercial	Labor Unions, Offices
Gymnasiums, Private Clubs or Institutional	Laboratories, Clinical
Gymnasiums, Public	Laboratories, Dental
Hairdressing	Ladies Wear, Sales
Halls, Assembly Institutional	Landscape Architects Offices
Halls, Commercial	Laundries, Collecting Shops
Halls, Public	Laundries, Hand (Chinese)
Hand Laundries, All Work In Premises (China)	Laundries, Self Service
Hardware, Retail Sales, New and Used	Lawn Furniture, Sales
Hardware, Wholesale	Lawn Mower Repair shops
Harness Repair	Lawyers, Offices
Harness Sales	Leather Goods, Sales, Custom or Handicraft
Hat and Cap, Retail Sales	Libraries, Institutional, Religious
Hat Cleaners and Renovators	Libraries, Private, Rental
Health Center, Charitable or Institutional	Libraries, Public
Health Food Products, Sales	Limb (Artificial)
Heating Contractors' Offices	Linens, Sales
Heating and Ventilating Apparatus, Sales	Linoleum, Sales
Heliport	Linoleum, Storage
Hemstitching	Liquor, Dispensing Bar
Herbs, Sales	Liquor, Package Sales
Hobby Shop	Livestock Sales and Shipping
Home Furnishings Store	Livestock, Supplies, Storage and wholesale
Horseshoeing	Loan Company Offices
Hosiery Sales and Repairing	Loan or Pawn Shops
Hospital Service Organizations	Locksmith Repair Shops
Hospitals, Private	Lodge Halls
Hospitals, Public	Lodging House
Hotel Equipment, Supplies and Sales	Luggage Sales
Hotels	Lunch Rooms
House Furnishings, Sales	Machinery Dealers, Sales and Showrooms
Household Appliances, Sales	Magazine Sales
Ice, Package, Sales	Mail Order House
Ice Cream, Manufacturing	Market, Stock and Bond

City of North Little Rock, Arkansas

Massage Establishment	Opticians, Sales
Meat and Fish Retail Sales	Optometrists, Sales
Meat and Fish Wholesale Market	Orthopedic Appliances, Manufacturing
Medical Clinics, Private Institutional	Orthopedic Shoe Repair
Medical Clinics, Public	Osteopathic Physicians and Surgeons
Men's Clothing Sales	Oxygen Equipment, Rental and Distribution
Merchandise Brokers' Office and Display	Package (Liquor) Store
Messenger Service	Paint Varnish, Retail Sales
Metals, Sharpening	Painters' Equipment and Supplies Shops Wholes
Milk Bars (Refreshment Stands, Except Roadside	Painting Contractors, Offices Only
Milliners, Custom and Sales	Painting Equipment and Supplies Retail Sales
Millenary and Dress Furnishing Shop	Paper Products, Wholesale and Storage
Milling Equipment, Showrooms, Sales	Parish House
Mineral Water Distillation and Bottling	Parking Lots, Private
Mirrors, Resilvering Custom Work	Parks, Public
Missions, Religious	Pawnbroker
Model Construction Supplies Sales	Penny Arcades
Monastery	Pet Shops (Sales Only)
Monuments Sales and Display	Pharmacy
Mortuary	Philatelist
Motels	Phonograph Records, Sales
Motion Picture Equipment Sales and Display	Phonographs, Sales
Motion Picture Theaters	Photographers, Commercial Studios
Motor Freight, Company Offices	Photographic Supplies Fabrication (No Film)
Motorcycles, Repairing and Sales	Photographic Equipment Supplies Retail Sales
Multigraphing, Commercial	Photo - Printers, Retail
Museums	Photostat Print Shops
Music Instruction, Commercial	Physical Therapy Clinic
Musical Institutes and Foundations Noncommercial	Physicians' and Surgeons' Exchanges
Musical Instruments, Repairing and Sales	Physicians' and Surgeons' Offices (Individual
Naturopathic Physicians	Piano Sales
Naval Supplies, Sales, Army or Navy (Not S	Piano Tuning, Repairing
News Dealers	Picture Framing Custom
News Service	Pies, Bulk, Commercial Bakery
News Stands	Pipe Line Companies' Offices
Newspapers Advertising Sales	Plastic and Plastic Products Sales and Demos
Newspaper Printing	Playgrounds, Public
Notions, Retail	Plumbers' Shop
Novelties, Retail	Plumbing Fixtures and Supplies
Nut Shop	Display and Sales
Nuts, Edible, Processing	Police Station
Office Building	Pool - Swimming, Public
Office Equipment Sales	Pool - Swimming, Private, Commercial
Office Furniture, Equipment and Supplies Sale	Pool Hall
Office Service (see page 2544 for explanation	Popcorn, Dispensing Popped
Oil Burners, Sales and Showroom	Post Office
Oil and Gas Stations	Poster Illustration, Studio
Opera House, Civic Building	Poultry and Egg Store (No Slaughtering, Ect
Opera House, Private Corp.	Pressing Shops
Optical Goods, Manufacturing	Produce (Garden), Retail Sales
Optician	Property Management Offices
	Protection Service

City of North Little Rock, Arkansas

Provident Association	Seed, Wholesale Sales
Public Relations Consultants	Self - Service Laundry
Public Storage Garages	Service Station Equipment, Wholesale
Publicity Service	Service Station (Gasoline)
Publishers' Office	Sewing Machines, Sales and Repairing
Pumps, Repairing and Rental	Shoe Repairing
Pumps, Retail Sales and Display	Shoe Repairing Equipment and Supplies Wholesale
Radio, Retail Sales	Shoes, Retail Sales
Radio, Broadcasting Stations	Shoeshine Stands
Radio, Broadcasting Studios	Shooting Gallery
Radio Repair Shop	Shipping Company Office Only
Radio Studios	Sightseeing Tours, Passenger Depot
Railroad Agents	Skating Rink
Ranges and Stoves, Sales	Slip Covers, Custom Manufacturing
Real Estate Sales Office	Slot Car Racing Establishments
Recreation Centers, Public	Social Centers
Refreshment Stands (Non - Alcoholic and Not	Soda Fountain Supplies, Wholesale
Refrigerators, Sales	Soda Water Manufacturing
Refrigerators, Servicing	Soft Drink Stand
Religious Art Goods Sales	Sorority Houses
Resort Hotels	Sound Systems, Rental and Service
Restaurant Equipment and Supplies Sales	Sound Systems, Equipment Sales
Restaurants	Specialties Shops
Retail Markets	Sporting Goods, Retail Sales
Retail Stores and Shops	Sportswear, Retail Sales
Riding Equipment Sales	Springs, Replacements and Repair
Roofers, Contractors' Offices	Stamp Dealers
Rubber Stamps Manufacturing	Stationers, Retail Sales
Rug Cleaners	Steam Baths, Private
Saddlery Shops, Custom Handmade	Steamship Agency Office
Safe Depositories	Stenographers, Public
Safes, Sales	Stock and Bond Brokers
Saloon	Surgical Supplies Wholesale Dist
Salvation Army	Surveyors
Savings and Loan Association	Swimming Pools, Commercial
Schools, Art, Commercial	Swimming Pools, Public
Schools, Art Institute	Synagogue
School, Beauty	Tackle Shop, Marine Supplies
Schools, Business and Commercial Private	Tailors, Custom
Schools, Correspondence and Stenographic	Taverns
Schools, Dancing, Private	Tax Consultants
Schools, Health, Gymnastic, Private	Taxicab Stands
Schools, Music, Private	Tea and Spice Retail Sales
Schools, Music Institutes	Tea Rooms
Schools, Parochial	Telegraph Companies, Offices
Schools, Physically Handicapped	Telephone Companies, Offices
Schools, Private, Academic	Television Sales and Repair
Schools, Public Trade	Tents and Awnings, Manufacturing
Schools, Vocational	Tents and Awnings, Sales
Second Hand Goods, Personal And Furniture	Termite Control Contractors Shops
Seed, Retail Garden Supplies	Terrazzo Contractor Shops

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Theaters	Veterinarians, Supplies Sales
Theatrical Agencies	Vocational School
Title Insurance Companies	Wagon Shop, Repairs
Tobacco, Retail	Wallpapers, Sales, Display
Tombstone, Sales and Display	Washing Machines, Sales and Display Custom R
Tools, Wholesale and Dist	Watches, Sales and Repairing
Tourist Courts	Water, Mineral, Drinking or Curative Bottle /
Tours, Offices and Passenger Depots	Water Coolers (Drinking Fountains), Repair
Towels, Supply Service	Water Heaters, Service and Repair
Toys, Retail Sales	Water Softening Equipment, Service and Repair
Tractors, Retail Sales and Display	Weaving, Handicraft
Travel Bureaus	Weaving and Mending Custom
Truck Freight Movers (See Express, Also)	Wheel Chairs, Rentals and Service
Trucks, Custom Repair and Retail Sales	Window Cleaners Service
Trust Companies	Window Display Installation, Studio and Shops
Umbrella Sales	Window Glass Installation Shop
Undertakers	Window Shades, Sales And Repairing
Uniforms, Rental	Wines, Package Retail Sales
United States Government Offices	Yacht Club, Private
Upholsterers, Supplies Sales	Yacht Club, Public Facilities
Vacuum Cleaners, Sales and Repair	Y M C A
Variety Stores - Retail	Y W C A
Vegetable Market, Retail	Y M H A
Venetian Blinds, Custom Manufacturing Installation	Y W H A
Venetian Blinds and Window Shades, Retail Sales	Zoological Gardens, Public
Veterinarians, Office Only	Zoos, Private Commercial

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Sec. 118-100 C-6, Downtown Commercial District

Description of district. The purpose for the Downtown Commercial District is the creation of a unique mixed-use district supportive of local and regional goals and objectives. Specific goals include creating a unique sense of place and supporting regional recreational and entertainment features. Intended uses allowed in the district include: personal, business and: governmental services, specialty and convenience retailing and wholesaling, medium density residential and flexible live/work arrangements.

Additional regulations to be defined in a historic commercial overlay document, are proposed to support the following specific objectives:

- (1) creating a pedestrian friendly environment by enhancing pedestrian space and slowing traffic .flow and .reducing parking requirements; ..
- (2) promoting residential use by allowing residential above the first floor of commercial buildings and allowing the addition of multifamily and condominium type structures; .
- (3) supporting the historic architectural theme replicating designs of the late 19th and early 20th. century to promote ambiance continuity;
- (4) adding strict landscaping requirements" for surface area not occupied by buildings and screening surface parking lots from local arterials;
- (5) restricting additional surface parking fronting on Main Street; and
- (6) allowing no outside storage with all permitted uses in the C-6 district

Permitted structures. Each lot shall have at least one front line and shall be occupied only by structures containing permitted uses, and such accessory buildings as are clearly incidental and normal to the permitted use.

Permitted uses. In the C-6 district only those uses specified under C-6 in the list of permitted uses) the *City's* off street parking regulations will be permitted.

Abstractors	Brushes, Sales
Academy, Dancing	Building Contractors Offices
Accountants	Building & Loan Association
Accessories & Apparel Store	Buildings, Office
Adjusters	Burglar Alarm Watching Service
Advertising Offices, Agencies	Business Machines Dist & Sales
Advertising Photo Studios	Butcher Shops
Airplane Beacons	Butcher's Supplies & Sales
Antique & Furniture Auctions(No outside storage)	Cafes (Restaurants Only)
Antique Sales	Camera Shop
Apparel & Accessories Store	Candy Shops (Retail)

City of North Little Rock, Arkansas

Appraisers	Caterers
Aquarium including, but not restricted to sales	Cafeteria
Architects	Chairs, Folding, Rental
Army & Navy goods sales	Children's & Infant's Wear Sales
Art Gallery, Commercial Sales	Childcare
Art Needle Work	Chiropractors, Doctors Office
Art School, Commercial	Christian Science Practitioners
Art School Institute (Public)	Christian Science Reading Rooms
Artificial Limbs Sale & Service	Churches & Sunday School Buildings
Artists, Commercial & Display	Cigar Stores
Artist, Materials & Supplies	City Buildings
Assembly Halls	Civic Arena
Audio Equipment, Retail and Music Stores	Cleaners & Shirt Laundries
Auditorium, Private Institutional	Clinics, Private
Auditorium, Public	Clinics, Public
Auditorium, Theaters & Commercial	Clubs, Private, Social or Fraternal
Automobiles Parts & Supplies (New) Sales	Clubs, Supper & Amusement
Automobiles Service Stations	Coin Dealers
Baby Shops	Collection Agencies
Bakery Store Mfg. Limited to Good Retl on Premises	Colleges & Vo-tech, Institution
Bank & Trust Companies	Contractors, Office
Barbers	Copy & Printing shops
Bathroom Accessories Display & Sales	County Buildings
Battery Service	Credit Reporting Bureaus
Beauty Shops	Credit Union Bureaus
Bible Institute	Dairies, Retail Sales of Products
Bible Sales	Dairy Products, Sales
Bicycle, Repair	Dance Hall
Bicycle, Sales	Dance Instruction
Billiard Parlors	Daycare
Blue Printing & Supplies	Decoration, Display Room & Office
Bolts & Nuts, Sales (Hardware)	Delicatessens
Bonding Companies	Delivery Service Office
Book Store	Dental Laboratories
Book Publishing, Offices	Dentists
Booksellers	Department Stores
Botanical Gardens	Desks, Sales
Broadcasting Studio	Detective Agencies
Brokerage House	Doctor's Office
Doll's, Repairing	Hairdressing or Styling Salon
Draperies, Sales	Halls, Assembly Institutional
Drawing Materials Sales	Halls, Commercial
Dress Shop, Sales	Halls, Public
Dressmakers, Custom	Hardware, Retail sales, New & Used
Drilling Companies Offices	Hat & Cap, Retail Sales
Driving Schools, Auto	HealthCtr, Charitable or Institutional
Drugless Physicians	Health Ctr, Public
Drug Stores	Health Food Products, Sales
Dry Cleaning Establishment	Heating Contractors' Offices
Dry Goods	Heating & Ventilating Apparatus, Sales
Electric Contractors' Offices	Heliport

City of North Little Rock, Arkansas

Electric Equipment, Sales	Hemstitching or Seamstress
Electric Light & Power Companies, Office & Billing	Herbs, Sales
Electric Appliances Repair	Hobby Shop
Employment Agencies	Home Furnishings Store
Engineers, Offices	Hotels
Entertainment Bureaus	Hosiery Sales
Exhibition Bldg. Commercial	Hospital Service Organizations
Exhibition Bldg. Public	Hospitals, Private
Express Companies, Office Only	Hostel
Federal Offices	House Furnishings, Sales
Feed, Retail Dist & Sales Offices	Household Appliances, Sales
Finance Co., Loan Offices	Ice, Package, Sales
Fire Station	Ice Cream Shops
Fish Markets, Public	Ice Skating Rink
Fish Store or Public Fish Market	Ice Storage, Retail Dist.
Floor Materials & Laying, Sales	Imported Goods, Retail Sales
Florists, Sales	indexing Systems & Supplies, Sales
Food Products, Retail Sales	Indian Goods, Wholesale & Retail
Fruit Stores, Retail	Institute (Bible)
Fruit & Vegetable Market, Retail	Institutional Building
Fur Warehouse Fur Garments	Insurance Offices
Furnaces, Display & Sales	Interior Decorators, Display & Sales
Furniture, Display & Sales	Jewelers, Retail Sales, Custom Mfg.
Furniture, Sales	Key Shops
Furniture, Used	Labor Unions, Offices
Furs, Custom Cleaning, Remodeling, Repair & Storage	Laboratories, Clinical
Furs, Mfg., Cutting & Assembly	Laboratories, Dental
Gardening Supplies, Pkg. Fertilizers Only	Ladies Wear, Sales
Gas Appliances, Sales	Landscape Architects Offices
Gas Companies' Offices	Laundries, Collecting Shops
Gift Shops	Laundries, Coin Type
Government Building	Lawn Furniture, Sales
Grocers Retail	Lawyers, Offices
Guns, Sales	Leather Goods, Sales, Custom or Handicraft Mfg.
Gunsmith, Retail	Libraries, Institutional, Religious
Gymnasiums, Private Commercial	Libraries, Private, Rental
Gymnasiums, Private Clubs or Institutional	Libraries, Public
Gymnasiums, Public	Linens, Sales
Loan Company Offices	Linoleum, Sales
Lodge Halls	Parking Lots, Private, Public, and Commercial
Luggage Sales	Parks, Public
Machinery Dealers, Sales & Showrooms	Pet Shops (Sales Only)
Magazine Sales	Pharmacy
Market, Stock & Bond	Philatelist
Massage Establishment	Phonograph Records, Sales
Meat & Fish Retail Sales	Phonographs, Sales
Medical Clinics, Private Institutional	Phonographers, Commercial Studios
Medical Clinics, Public	Photographic Equip & Supplies Retail Sales
Men's Clothing Sales	Photo-Printers, Retail
Merchandise Brokers' Office & Display	Photostat Print Shops
Messenger Service	Physical Therapy Clinic

City of North Little Rock, Arkansas

Milliners, Custom Furnishing Shop	Physicians' & Surgeons' Exchanges
Millinery & Dress Furnishing Shop	Physicians' & Surgeons' Offices (Individual)
Miniature Golf, Indoor only	Piano Sales
Missions, Religious	Picture Framing Custom
Model Construction Supplies Sales	Pipe Line Companies' Offices
Monuments Sales & Display	Plastic & Plastic Products Sales & Demo
Motels	Playgrounds, Public
Motion Picture Equipment Sales & Display	Plumbing Fixtures & Supplies Display & Sales
Motion Picture Theaters	Police Station
Museums	Pool-Swimming Public
Music Instruction, Commercial	Pool-Swimming, Private, Commercial
Musical Institutes & Foundations Noncommercial	Pool Hall
Musical Instruments, Repairing & Sales	Popcorn, Dispensing Popped
Naturopathic Physicians	Post Office
News Dealers	Poultry & Egg Store (No Slaughtering, Etc.)
News Service	Produce (Garden), Retail Sales
News Stands	Print Shops
Newspapers Advertising Sales	Property Management Offices
Notions, Retail	Protection Service
Novelties, Retail	Public Relations Consultants
Nurseries, Landscape	Publicity Service
Nut Shop	Publishers' Offices
Office Building	Pumps, Retail Sales & Display
Office Equipment Sales	Radio, Retail Sales
Office Furniture, Equip & Supplies Sales & Showroom	Radio, Broadcasting Stations
Office Service (see page 2544 for Explanation)	Radio Repair Shop
Opera House, Civic Building	Radio Studios
Opera House, Private Corp	Ranges & Stoves, Sales
Optician	Real Estate Sales Office
Opticians, Sales	Recreation Centers, Public
Optometrists, Sales	Refreshment Stands (Non-Alcoholic & Not Roadside
Orthopedic Shoe Repair	Refrigerators, Sales
Osteopathic Physicians & Surgeons	Refrigerators, Servicing
Paint & Varnish, Retail Sales	Religious Art Goods Sales
Painting Contractors, Office Only	Residential, Single Family
Painting Equip & Supplies Retail Sales	Residential Apartments
Parish House	Residential Condominiums
Parking Garage	Residential Above Commercial
Restaurants	Resort Hotels
Restrooms, Public	Synagogue
Retail Markets	Tackle Shop, Marine Supplies
Retail Stores & Shops	Tailors, Custom
Riding Equipment Sales	Tax Consultants
Rink Skating	Taxicab Stands
Roadside Sales Stand, Food & Agricultural Products	Tea & Spice Retail Sales
Roller Skating Rink	Tea Rooms
Roofers, Contractors' Offices	Telephone Companies, Office
Safe Depositories	Television Sales & Repair
Safes, Sales	Tennis Courts, Public
Salvation Army, Used Goods Store & Office	Tents & Awnings, Sales
Savings & Loan Association	Theatres

City of North Little Rock, Arkansas

Schools, Art Commercial	Theatrical Agencies
Schools, Art Institute	Title Insurance Companies
Schools, Beauty	Tobacco, Retail
Schools, Private	Tourist Courts
Schools, Public	Tours, Offices & Passenger Depots
Schools, Business & commercial Private	Toys, Retail Sales
Schools, Dancing, Private	Travel Bureaus
Schools, Health, Gymnastic, Private	Trust Companies
Schools, Music, Private	United States Government Offices
Schools, Music Institutes	Vacuum Cleaners, Sales & Repair
Schools, Physically Handicapped	Variety Stores - Retail
Schools, Private, Academic	Vegetable Market, Retail
Schools, Vocational	Veterinarians, Office Only
Second Hand Goods, Personal & Furniture	Vocational School
Seed, Retail Garden Supplies	Wallpapers, Sales Display
Self-Service Laundry	Watches, Sales & Repairing
Service Station (Gasoline)	Water Softening Equip, Service & Repair
Sewing Machines, Sales & Repairing	Weaving, Handicraft
Shoe Repairing	Weaving & Mending Custom
Shoes, Retail Sales	Wheel Chairs, Rentals & Repairing
Shoeshine Stands	Wholesaling (No Outside Storage)
Shipping Company Office Only	Window Shades, Sales & Repairing
Sightseeing Tours, Passenger Depot	Yacht Club, Private
Social Centers	Yacht Club, Public Facilities
Soft Drink Stand	Zoological Gardens, Public
Sorority Houses	Zoos, Private Commercial
Sound Systems, Rental & Service	
Sound Systems, Equipment Sales	
Specialties Shops	
Sporting Goods, Retail Sales	
Sportswear, Retail Sales	
Stamp Dealers	
Stationers, Retail Sales	
Stenographers, Public	
Stock & Bond Brokers	
Surveyors	
Swimming Pools, Commercial	
Swimming Pools, Public	

Dimensional requirements. The lot for each permitted use shall comply with the following dimensional and area requirements:

A. ***Lot Width.*** Each lot shall be not less than twenty-five (25) feet wide at the front building line.

B. ***Lot Area.*** The lot area shall be not less than two thousand five hundred (2500) square feet.

C. **Minimum Front Yard.** There shall be no front yard requirements for;.C-6 district other than the following:

(1) Where other ordinances require a setback.

(2) In compliance with the provisions of adjoining district where a part of the frontage is in a district requiring front yards.

D. **Minimum Side Yards.** No side yards shall be required under this ordinance, but they shall be provided if required under other ordinances or in compliance with the provisions of an adjoining district where a part of the side yard is in that district. If a side yard or yards are provided, they shall be not less than eight (8) feet in width. .

E. **Minimum Rear Yard Requirements.** There shall be a rear yard having a. depth of not less than ten (10) feet.

F. **Maximum Height.** No building South of Washington Avenue, between willow & Cypress Streets, shall be allowed to exceed the height of two stories or 30' in order to protect area views of the Arkansas River. Otherwise, no building hereafter erected or structurally altered shall exceed 3 one-hundred and forty (140) feet in height, provided" however, the church spires, flagpoles, antennas, chimneys, vents, accessory water towers, air-conditioning towers, and elevator shafts, all clearly accessory to the structure shall be permitted to exceed this height limitation upon the approval of the planning commission provided they do not exceed the height limitations by more than twenty-five (25) percent and that no illuminated sign, name, display, or advertising device of any kind whatsoever shall be inscribed or attached to any portion of any structure exceeding the height limitations, and further provided that a tower not exceeding twenty (20) percent of the lot areas, not having any side greater than sixty (60) feet in height nor any wall closer than twenty (20) feet to any lot line may be constructed without reference to these limitations.

G. **Maximum Gross Floor Area In Structures.** The sum total of the gross floor area of all structures on a lot, including garage space, shall not be greater than ten (10) times the area of the lot on which the structures are located.

Off-street parking. The provisions of the City's off street parking requirements shall be of no force and effect in this C-6 district unless otherwise mentioned herein. .

Off-street loading requirements. The provisions of the City's off-street loading requirements shall be in full force and effect in this district

Planned building groups. The provisions of the City's planned building groups may be applied in the C-6 district. .

District designation and development plan provisions. The provisions of the general regulations for commercial districts 702.2 (a) thru 702.2 (m) inclusive shall be in full force and effect in the C-6 district.

Secs. 118-101--118-117. Reserved.

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Subdivision IV. Industrial Districts

Sec. 118-118. Generally.

Certain areas of the city are designated as industrial zone districts. These areas are established in locations where they will not interfere with other types of districts and will provide suitable sites for development of good industrial areas. The standards developed herein are intended to protect industrial uses and to ensure the continuing stability of land values by:

- (1) Providing ample, uncongested space and circulation for all industrial users.
- (2) Protecting each owner or tenant so that he may obtain maximum convenience, safety, economy, view, identity and amenity in relation to adjacent sites and in relation to the industrial zone district as a whole.
- (3) Providing for adequate space for access parking, off-street loading, internal circulation, landscaping, utilities and adequate space protection for light and air, for insulation of noise and vibration, and for police and fire protection.
- (4) Providing for safe and uncongested traffic and pedestrian movements both on and off the lots.
- (5) Providing through careful landscaping a pleasant environment in which to work and providing shade and protection from sun and light glare and providing windbreaks.

(Ord. No. 3171, § 702.4, 3-26-62)

Sec. 118-119. Limitations on external effects of uses.

Within not more than two years from the date on which this chapter becomes effective, every use in an industrial district shall be made to comply with the following limitations:

- (1) ***Enclosure of uses.*** Every use, unless expressly exempted by this chapter, shall be operated in its entirety within a completely enclosed structure; the exemption of a use from the requirement of enclosure will be indicated by a symbol appearing after any use exempted. For all uses exempted from total enclosure the lot will be so developed and screened so that it will present an attractive appearance from all approaches.
- (2) ***Emission of sound, heat, etc.*** All lots and structures will be developed and operated in a manner that will to the greatest extent practicable protect

surrounding lots from the emission of sound, vibration, heat, glare, radiation and fumes emitted from any operation, and shall in no case emit any of these nuisances in a dangerous degree.

- (3) ***Storage of flammable or explosive materials.*** No highly flammable or explosive liquids, solids or gases shall be stored in bulk above ground. Tanks or drums of fuel directly connecting with heating devices or appliances located on the same lot as the tanks or drums of fuel are excluded from this provision. Where the permitted industry by its nature requires storage of flammable or explosive liquids, solids or gases, it shall locate only in the zone district specified herein and shall meet all of the distance requirements hereinafter specified.

- a. Liquefied petroleum gas, where permitted, shall be stored no closer to any boundary line of a lot on which it is located than the following minimum distances:

Water Container (gallons)	Capacity	Per	If Stored Underground (feet)	If Stored Aboveground (feet)
Less than 125			10	None
125--500			10	10
501--2,000			25	25
Over 2,000			50	50

- b. Flammable liquids (fire prevention code class I, II and III), where permitted, shall be stored no closer to any boundary line of a lot on which they are located than the following minimum distances:

Aboveground Capacity (gallons)	Minimum Distance (feet)
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1--1,000	25
1,001--3,000	50
3,001--35,000	100
Over 35,000	120

Underground Capacity (gallons)	Minimum Distance (feet)
550	6
2,000	10
5,000	20
15,000	25
20,000	30
35,000	40

- c. Explosives, where permitted, shall be stored no closer to any boundary line of the lot on which they are located than the following distances:

Pounds	Minimum Distance (feet)
2--5	70
5--10	90
10--20	110
20--25	125

Over 25	As required by other ordinances
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Railroad rights-of-way abutting a lot may be part of the required setback hereinabove set forth.

(4) ***Outdoor storage and waste disposal.*** The following regulations shall apply to all industrial zone districts:

- a. All outdoor storage facilities for fuel, raw materials and products, wrecking, storage or dismantling of vehicles or parts, junkyards and uses of a similar nature shall be enclosed by a screen fence or wall adequate to conceal such facilities from adjacent property and from public streets and highways.
- b. No materials or wastes shall be deposited upon a lot in such form or manner that they may be transferred off the lot by normal natural causes or forces, and such materials shall not be allowed to pollute a watercourse, stream, lake or underground water supply.
- c. All materials or wastes which might cause fumes or dust or which constitute a fire hazard or which may be edible by or otherwise be attractive to rodents or insects shall be stored outdoors only in closed containers.

(Ord. No. 3171, § 702.4-1.1, 3-26-62)

Sec. 118-120. Conditions for site developments.

No land shall be used or occupied and no structure shall be designed, erected, altered, used or occupied in an industrial district except for either one or several of the permitted uses and lawful accessory uses thereto. Any permitted use shall observe all of the following conditions:

- (1) All yards and open areas shall be properly graded for drainage, surfaced with concrete, asphaltic concrete, asphalt, oil, lawns or any other dust-free surfacing, and maintained in good condition, free of weeds, dust, trash and debris.
- (2) Any permitted use shall be provided with barriers of such dimensions that occupants of adjacent structures are not unreasonably disturbed, either by day or by night, by the movement of vehicles, machinery, equipment or supplies.

- (3) Any permitted use shall be provided with entrances and exits so located as to minimize traffic congestion. Where entrances and exits are intended for use by trucks, lanes shall be at least 12 feet wide and the radius of the curve at the pavement edge of the entrance or exit shall be at least 35 feet.
- (4) Any permitted use shall provide sufficient internal circulation and turning space on the lot so that no vehicle will have to maneuver on any public right-of-way in order to gain access to or exit from any lot, or to load or unload from any structure on the lot or for any other reason.
- (5) Any permitted use must provide and maintain a landscaped strip at least ten feet wide along all street property lines, exclusive of drives and walks, and such landscape should not interfere with sight distances or block needed view of buildings or their identification.
- (6) Any permitted use shall be provided with barriers of such type and so located that no part of parked vehicles will extend beyond the yard space or into the setback space from a lot line abutting a residential lot or separated therefrom by a street.
- (7) Lighting facilities shall be so arranged that they neither unreasonably disturb occupants of adjacent properties nor interfere with traffic.

(Ord. No. 3171, § 702.4-1.2, 3-26-62)

Sec. 118-121. Accessory uses.

Incidental only to a permitted use, any use which complies with all of the following conditions may be operated as an accessory use in an industrial district:

- (1) The use is clearly incidental and customary to and commonly associated with the operation of the permitted use.
- (2) The use is operated and maintained under the same ownership or by lessees or concessionaires thereof, and on the same lot as the permitted use.
- (3) The use does not include structures or structural features inconsistent with the permitted use.
- (4) The use does not include residential occupancy except by caretakers or watchmen.

- (5) If operated partially or entirely in detached structures, such detached structures shall be limited to a gross floor area of not more than 20 percent of the gross area of the principal structure.
- (6) If operated partially or entirely within the structure containing the permitted use, the gross floor area within such structure utilized by accessory uses (except garages, loading docks and company dining rooms) shall not be greater than ten percent of the gross floor area of the structure containing the permitted use by right.

(Ord. No. 3171, § 702.4-1.3, 3-26-62)

Sec. 118-122. Permitted encroachments on setback spaces.

Belt courses, sills, lintels, cornices, eaves, gutters, stoops and building accessories designed and intended to control light and glare entering the building, and not being a permanent part of such building by being supported from the ground, may extend three feet into any setback space without being considered in violation of the setback requirements of the industrial zone districts.

(Ord. No. 3171, § 702.4-1.4, 3-26-62)

Sec. 118-123. I-1 Community Industrial Park District.

- (a) **Description of district.** The I-1 community industrial park district is composed of certain lands located between general industrial or commercial uses and quiet residential areas and of certain other lands so located that residential development is in close proximity. The regulations of this district are intended to provide structural standards, standards of intensity of use and standards of external effects compatible with the surrounding residential districts. To these ends, development standards are established to encourage those industries and wholesaling activities which can be operated in a clean and quiet manner, plus certain public facilities which are needed to serve the occupants of the district and residents of adjoining residential districts, and to establish pleasant community industrial parks.
- (b) **General conditions.** The general conditions applying to all zone districts and the general conditions applying to industrial zone districts shall be in full force and effect in the I-1 district.
- (c) **Permitted structures.** Each lot shall have at least one front property line and shall be occupied only by structures containing permitted uses and such accessory buildings as are clearly incidental and normal to and are operated and maintained by the owner or tenant of the permitted use, provided, however, that it shall not be a residence.
- (d) **Permitted uses.** In the I-1 district, only those uses specified under I-1 in the list of permitted uses, section 118-1 of these regulations, will be permitted.
- (e) **Dimensional requirements.** The lot for an I-1 industrial district shall comply with the following dimensional requirements:
 - (1) **Minimum front yard.** All structures shall be set back a distance of not less than 30 feet from each front property line, or as required in other ordinances, whichever is greater; provided, however, that, where the height of any structure exceeds 35 feet as permitted under these district regulations, the front yard setback shall be increased one foot for each increment of five feet of increased structure height above 45 up to the maximum permitted height.
 - (2) **Minimum side yards.** There shall be two side yards to each lot. The minimum required side yard width shall not be less than ten percent of the lot width at the front building line, but in no case shall it be less than 15 feet, except that any side yard abutting a street shall be at least 25 feet, unless under the master street plan, as existing or amended, or other ordinances a greater setback is required for the purpose of street widening or for other reasons, provided, however, that when structures on abutting lots share a common rail facility extending along the side of the building the side yard on that side of the building may be reduced with the

commission's approval to facilitate common usage of the railroad spur. Where the height of any structure exceeds 35 feet as permitted under these district regulations, the side yard setback shall be increased one foot for each increment of five feet of increased structure height above 45 up to the maximum permitted height.

- (3) **Minimum rear yard.** There shall be a rear yard having a depth of not less than 25 feet.
- (4) **Maximum height.** No building hereafter erected or structurally altered shall exceed three stories or 45 feet in height; provided, however, that chimneys, vents, air conditioning towers, accessory water towers and elevator shafts, all clearly accessory to the main structure, shall be permitted to exceed this height limitation up to but not exceeding 25 percent of the total permitted height, and that no illuminated sign, name, display or advertising device of any kind whatsoever shall be inscribed or attached to any portion of any structure exceeding the height limitations.
- (5) **Location of accessory buildings.** No accessory buildings shall be located on any required front or side yard, or within 25 feet of any street or within ten feet of any lot line, that is not a street line, unless otherwise provided for herein. Fences up to 84 inches in height may be erected along any boundary line of the side yards or rear yard from the front building line to the rear lot line and along the rear lot line, except where the rear lot line abuts a street, and such fences shall not be deemed structures for the purpose of this section.
- (6) **Lot coverage.** On each lot there shall be 40 percent of the total lot area retained as clear and unobstructed open space, provided, however, that such open space may be used for parking areas and access roads, further provided that such parking areas and access roads do not encroach on any required landscaped areas.
- (f) **Off-street parking.** The provisions of section 118-178, Off-street parking requirements, shall be in full force and effect in the I-1 district.
- (g) **Off-street loading requirements.** The provisions of section 118-179, Off-street loading requirements, shall be in full force and effect in the I-1 district.
- (h) **Corner visibility.** On a corner lot, within the areas formed by the right-of-way lines of intersecting streets and a line joining points on such right-of-way lines at a distance of 25 feet from their intersection, there shall be no obstruction to vision between a height of two feet and a height of ten feet above the average grade of each street at the centerline thereof, except that street name signs, fire hydrants, street lighting poles and associated appurtenances thereto shall be permitted within this area.

- (i) ***Planned building groups.*** The provisions of section 118-180, Planned building groups, shall have no force and effect in the I-1 district.

(Ord. No. 3171, § 702.4-2, 3-26-62)

I-1 Allowed Uses

Air Express Service	Barber's Supplies Distribution Dealers
Air Express Service Garage	Barge, Gasoline, Retail Sales
Air Express Service Warehouse	Barge, Terminal Private
Airline Companies Office	Barge, Terminal Public
Airplane Beacons	Baseball Park, Private
Airplane Markers	Bathroom Accessories Manufacturing
Airplane Repair and Storage	Battery Service
Airplane Sales and Display	Beer and Ale Distribution Wholesale and Storage
Airplane Ground Schools	Belting, Repairing
Airplane Parts Sales	Beverages, Bottling
Airports Private	Beverages, Wholesale and Storage
Ambulance Service Garages	Biscuit Companies, Manufacturing
Apothecary	Biscuits, Wholesale and Storage
Armored Car Service Garages	Blacksmiths
Armored Car Service Office	Boat, Pleasure, Storage
Armory	Boilers, Storage
Artificial Flower Manufacturing	Botanical Gardens
Artificial Limbs Manufacturing	Boxes, Sales
Artificial Limbs Sales and Service	Braces, Orthopedic Manufacturing
Asbestos and Asbestos Products Storage	Brick Storage
Asbestos Products, Sale	Broadcasting Station
Ash Dumps (Except Nuclear Wastes)	Building Contractor Equipment and Material Storage
Asphalt Siding, Shingles, Roofing Manufacturing	Building Contractors' Offices
Asphalt Siding, Shingles, Roofing Storage and	Building Materials, Wholesale and Storage
Associations, Clubs and Lodge (Private)	Buildings, Office
Athletic Clubs	Burglar Alarm Installation
Athletic Fields, Private Property	Bus Lines Shops, Garage, Repair
Auction	Business Machines Storage and Wholesale
Auctioneer's Auditorium	Butter and Cheese Manufacturing
Automobiles Bodies, Sales (New)	Button Covering (Fabrics)
Automobiles Laundry	Cabinet Makers
Automobiles Laundry Four (4) Stall Max Sel	Cafes (Restaurants Only - No Alcohol)
Automobiles Parking (Commercial)	Camera Fabrication
Automobiles Parts and Supplies (New) Sales	Camera Manufacturing
Automobiles Repair - Brake Electric Paint Radi	Candy, Wholesale, Distribution
Automobiles Sales From Show Rooms	Canvas Goods (Fabrication)
Automobiles Service Stations	Car Barns
Automobiles Show Rooms	Carpenters, Contractor's Office
Automobiles Storage Dead (Warehouse)	Carpenters' Shops and Power Woodworking
Automobiles Storage Live	Carpet and Rug Cleaners and Storage
Awnings Fabrication	Carpets and Rugs, Warehouse
Bakers and Baked Goods, Manufacturing	Carpets and Rugs, Wholesale
Ball Parks (Commercial)	Cattle Shed
Ball Field	Cement Storage
Balls and Bearings Sales	Cesspool Builders and Service Equipment Yard
Balls And Bearings Storage	Cesspool Builders and Service Offices
Bank and Trust Companies	Chandler, Ship's
Barbecue, Bulk Preparation and Sales	Cheese Manufacturing
Barbecue, Stand Roadside Sales	Chemicals and Drugs Storage and Distribution

City of North Little Rock, Arkansas

Cigars, Wholesale and Storage	Engravers
City Buildings	Excelsior, Storage and Distribution (Bulk)
Cleaning Compounds Storage	Express Companies, Garages
Cleaning and Dying Processing	Express Companies, Office Only
Coffee Wholesale and Storage	Express Companies, Warehouses
Coffee, Roasting	Exterminating and Fumigating, Commercial Shop
Coin Machines Rental and Service	Fallout Shelter
Cold Storage	Farm Labor Contractors
Comfort Station	Feed, Wholesale and Storage
Concrete Contractors, Storage and Yards	Fences, Metal, Wholesale and Storage
Confectioners, Manufacturing	Ferry Docks, Railroad
Confectioners, Wholesale	Fertilizer, Processed, Storage Only
Conservatory, Commercial Botanical	Filling Station, Gasoline
Contractors' Equipment and Supplies, Storage	Fire Escape Contractors
Contractors, Office	Fire Station
Cosmetics, Manufacturing	Firewood Storage
Cotton Storage	Fish, Wholesale
Cotton Seed Products, Storage	Fish Markets, Public
County Buildings	Fish Packing or Storage
Crating Service	Floor Refinishing Contractors, Shop
Crop Dusting Equipment Yards	Food Products, Brokers and Distribution
Dairies, Distribution	Food Products, Warehouse
Dairies, Pasteurization	Forest Land
Dairy Products Manufacturing	Freight Depot
Decoration, Workshop Equipment Yard	Freight Forwarders' Warehouses
Delivery Service Office	Freight Traffic Service Offices
Department Stores Warehouse	Frozen Foods, Storage and Distribution
Diaper Supply Service	Fuel Distribution Station Gasoline
Disinfectants, Storage and Wholesale	Fur Dyeing, Finishing and Apparel (No Tanni
Display Designers and Builder's Shops	Fur Warehouse Raw Hides
Distillers, Distribution, Warehouse	Fur Warehouse Fur Garments
Distributing Service, Garage	Furniture, Cleaners
Dock Private Shipping Company	Furniture, Repairing and Finish
Drilling Companies Offices	Furniture, Wholesale and Storage
Drilling Company Equipment Yards	Furs, Custom Cleaning, Remodeling, Repair and
Drive - In Restaurants	Furs, Manufacturing, Citting and Assembly
Drugs, Manufacturing	Gasoline, Retail Sales
Drugs, Wholesale Storage	Golf Clubs, Private
Dry Cleaning Establishment, Bulk Processing	Government Buildings
Dry Goods, Wholesale or Storage	Grain Elevators
Dyeing, Commercial Bulk	Grocers Warehouse
Dyeing, Custom	Grocers Wholesale
Eggs, Storage and Processing	Hardware, Wholesale
Electric Contractors' Offices	Harness Repair
Electric Contractors' Shops	Hatcheries
Electric Light and Power Companies, Yard	Hay and Straw, Sales Storage
Electric Refrigeration Lockers	Heating Contractors' Offices
Electric Appliances Wholesale	Heating and Ventilating Apparatus, Assembly
Elevators, Grain	Heating and Ventilating Apparatus, Storage
Enameling and Painting Bulk Production	Heliport
Enameling and Painting Custom	Hoist, Equipment Storage

City of North Little Rock, Arkansas

Horseshoeing	Orthopedic Appliances, Manufacturing
Imported Goods, Warehouse	Overall Manufacturing (Clothing)
Insecticides, Storage and Distribution	Packing and Crating Service Fabrication
Insulation, Contractors' Equipment Yards	Paint And Varnish, Bulk Storage, Warehouse
Insulation Materials Storage and Wholesale	Painters' Equipment and Supplies Shops Wholes
Interior Decorators, Display and Sales	Painting Contractors, Offices Only
Interior Decorators, Workshop	Paper Products, Wholesale and Storage
Irrigation Companies and Equipment	Paper Storage
Janitors' Supplies, Storage and Warehouse	Parking Lots, Private
Japanning and Shellacking Works	Parochial Schools
Jobbers, Bulk Materials	Paving Contractors' Equipment Storage
Kindling Factory	Paving Materials Storage Yard
Laundries, Processing	Photo - Engraving Company
Laundry Equipment and Supplies Storage	Pickles, Processed, Wholesale and Storage
Libraries, Private, Rental	Pies, Bulk, Commercial Bakery
Limb (Artificial) Manufacturing	Pipe, Used, Storage and Sales
Lime Storage	Pipe Coverings, Contractors' Shops
Linen Supply Laundry Service	Pipe Fittings, Storage and Wholesale
Linoleum, Storage	Plaster, Wholesale and Storage
Liquor, Storage and Wholesale	Plasterers, Contractors' Yards
Livestock Sales and Shipping	Plumbers' Shop
Livestock, Supplies, Storage and wholesale	Plumbing Fixtures and Supplies Display and S
Lockers, Food Storage (No Processing)	Plumbing Fixtures and Supplies Wholesale and
Lumber, Cabinet Working	Popcorn, Dispensing Un - Popped
Lumber, Storage Yard	Poster Illustration, Studio
Lumber, Used and Wholesale	Poultry Supplies, Wholesale and Storage
Lunch Rooms	Pressing Shops
Machine Tools, Storage	Printers' Equipment and Supplies, Wholesale
Machinery, Rental	Pumps, Repairing and Rental
Machinery, Used, Storage	Radio, Broadcasting Stations
Machinery, Dealers, Sales and Showrooms	Railroad Agents
Meat Storage	Recreation Centers, Public
Meat, Wholesale	Refreshment Stands (Non - Alcoholic and Not
Meat and Fish Wholesale Market	Refrigeration Equipment, Custom Installation
Milk Bottling Plant	Refrigerators, Servicing
Milk Pasteurization	Refrigerators, Wholesale, Storage
Milliners, Wholesale and Storage	Restaurants (No Alcohol)
Millwork Sales and Storage	Riding Academies
Mining Machinery, Wholesale, Storage	Road Building Equipment Sales
Mining Machinery, and Supplies, Display and	Road Building Equipment Storage Yard
Model Construction Supplies, Manufacturing	Roofers, Contractors' Offices
Motor Freight, Company, Garages	Roofing Material, Storage and Sales
Motor Freight Company Offices	Rug Cleaners
Motor Freight Company, Warehouse	Safe Depositories
Motorcycles, Repairing and Sales	Safes, Sales
Non Toxic Insecticide Manufacturing	Scales, Commercial Weighing
Office Building	Scavenger Equipment Storage Yard
Office Furniture, Storage and Warehouse	School Equipment and Supplies, Wholesale
Oil Burners, installation and Repair	Schools, Physically Handicapped
Oil Burners, Sales and Showroom	Scrap Metal (Non - Ferrous) Storage and Sel
Oil and Gas Stations	Seed, Wholesale Sales

City of North Little Rock, Arkansas

Septic Tanks, Contractors Construction	Tile Manufacturing, Decorative
Service Station Equipment, Wholesale	Tire Repairing, Equipment and Supplies
Service Station (Gasoline)	Tobacco, Retail
Sewage Disposal Systems, Private	Tools, Wholesale and Dist
Sewage Disposal Systems, Public	Tours, Garages
Sewer Service, Equipment Yard	Towels, Supply Service
Sheet Metal Work, Custom Fabrication	Tractors, Rental
Shoe Repairing Equipment and Supplies Wholesale	Tractors, Retail Sales and Display
Sightseeing Tours, Garages	Trailers, Retail Sales and Display
Ship Storage Yard	Trailers, Repairing
Shipping Company Docks	Trailers. Sales
Sign Erectors, Contractors' Shops	Transfer Business
Sign Painters, Shops	Truck Freight Movers (See Express, Also)
Signs, Maintenance Service Shop	Uniforms, Rental
Signs, Neon and Metal Fabrication	Upholsterers, Supplies Sales
Soaps, Wholesale and Storage	Vegetable Market, Wholesale
Social Centers	Venetian Blinds, Custom Manufacturing Installation
Soda Water Manufacturing	Venetian Blinds and Window Shades, Retail Sales
Soft Drink Stand	Veterinarians, Supplies Sales
Sound Systems, Rental and Service	Wall Board, Wholesale and Storage
Spices, Wholesale and Storage	Warehouses
Spraying Supplies Equipment Yard	Water Coolers (Drinking Fountains), Repair
Springs, Replacements and Repair	Water Heaters, Service and Repair
Stock Yards (Livestock)	Water Softening Equipment, Service and Repair
Stone Crushing	Water Supply Systems, Contractors Shop
Storage Warehouse	Weighers, Commercial
Storage Yards, Bulk Material	Welding, Equipment and Supplies, Storage
Store Front Construction Shops	Wharf, Private Shipping
Store and Office Fixtures Contractors' Shops	Wholesale Nursery
Stoves and Ranges, Wholesale Storage	Wholesale Produce Storage of Market, Commercial
Surgical Supplies Wholesale distribution	Winches, Equipment Rentals
Tea and Spice Packing	Window Cleaners Service
Tennis Courts, Private Rental	Window Display Installation, Studio and Shops
Tents and Awnings, Manufacturing	Window Shades, Sales And Repairing
Termite Control Contractors Shops	Wines, Storage, Distribution and Bottling
Terrazzo Contractor Shops	Woodworking, Equipment, Wholesale
Tile Contractors, Storage	Zoological Gardens, Public

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Sec. 118-124. I-2 Light Industrial Park District.

- (a) **Description of district.** The I-2 light industrial park district is composed of certain lands so situated as to be suitable for industrial development, but where the modes of operations of the industry will directly affect nearby residential and business uses. The purpose of the district is to permit the normal operations of industries, subject to those regulations needed to control congestion and to protect nearby residential and business districts.
- (b) **General conditions.** The general conditions applying to all zone districts and the general conditions applying to industrial zone districts shall be in full force and effect in the I-2 district.
- (c) **Permitted structures.** Each lot shall have at least one front property line and shall be occupied only by structures containing permitted uses and such accessory buildings as are clearly incidental and normal to and are operated and maintained by the owner or tenant of the permitted use, provided, however, that it shall not be a residence.
- (d) **Permitted uses.** In the I-2 district only those uses specified under I-2 in the list of permitted uses, section 118-1 of these regulations, will be permitted.
- (e) **Dimensional requirements.** The lot for an I-2 industrial district shall comply with the following dimensional requirements:
 - (1) **Minimum front yard.** All structures shall be set back a distance of not less than 30 feet from each front property line, or as required in other ordinances, whichever is the greater; provided, however, that where the height of any main structure exceeds 35 feet as permitted under these district regulations the front yard setback shall be increased one foot for each increment of five feet of increased structure height above 45 feet up to the maximum permitted height.
 - (2) **Minimum side yards.** There shall be two side yards to each lot. The minimum required side yard width shall not be less than ten percent of the lot width at the front building line, but in no case shall it be less than 15 feet, except that any side yard abutting a street shall be at least 25 feet, unless under the master street plan, as existing or amended, or other ordinances a greater setback is required for the purpose of street widening or for other reasons; provided, however, that when structures on abutting lots share a common rail facility extending along the side of the building the side yard on that side of the building may be reduced, with commission approval, to facilitate common usage of the railroad spur. Where the height of any structure exceeds 35 feet as permitted under these

district regulations, the side yard setback shall be increased one foot for each increment of five feet of increased structure height above 45 feet up to the maximum permitted height.

- (3) **Minimum rear yard.** There shall be a rear yard having a depth of not less than 25 feet.
- (4) **Maximum height.** No building hereafter erected or structurally altered shall exceed six stories or 60 feet in height; provided, however, that chimneys, vents, air conditioning towers, accessory water tower and elevator shafts, all clearly accessory to the main structure, shall be permitted to exceed this height limitation up to but not exceeding 25 percent of the total permitted height, and that no illuminated sign, name, display or advertising device of any kind whatsoever shall be inscribed or attached to any portion of any structure exceeding the height limitations.
- (5) **Location of accessory buildings.** No accessory building shall be located on any required front or side yard, or within 25 feet of any street or within ten feet of any lot line, that is not a street line, unless otherwise provided for herein. Fences up to 84 inches in height may be erected along any boundary line of the side yards or rear yard from the front building line to the rear lot line and along the rear lot line, except where the rear lot line abuts a street, and such fences shall not be deemed structures for the purpose of this section.
- (6) **Lot coverage.** On each lot there shall be 60 percent of the total lot area retained as clear and unobstructed open space, provided, however, that such open space may be used for parking areas and access roads, further provided that such parking areas and access roads do not encroach on any required landscaped areas.
- (f) **Off-street parking.** The provisions of section 118-178, Off-street parking requirements, shall be in full force and effect in the I-2 district.
- (g) **Off-street loading requirements.** The provisions of section 118-179, Off-street loading requirements, shall be in full force and effect in the I-2 district.
- (h) **Corner visibility.** On a corner lot, within the areas formed by the right-of-way lines of intersecting streets and a line joining points on such right-of-way lines at a distance of 25 feet from their intersection, there shall be no obstruction to vision between a height of two feet and a height of ten feet above the average grade of each street at the centerline thereof, except that street name signs, fire hydrants, street lighting poles and associated appurtenances thereto shall be permitted within this area.

- (i) ***Planned building groups.*** The provisions of section 118-180, Planned building groups, shall have no force and effect in the I-2 district.

(Ord. No. 3171, § 702.4-3, 3-26-62)

I-2 Allowed Uses

Academy, Riding	Awnings Fabrication
Acoustical Material Manufacturing	Bag Cleaning
Acoustical Material Storage	Bakers and Baked Goods, Manufacturing
Advertising Display Manufacturing	Ball Field
Ag. Implements Distribution and Display	Balls and Bearings Sales
Ag. Implements Repair and Service	Balls And Bearings Storage
Ag. Implements Sales	Bank and Trust Companies
Ag. Tillage Contractors	Barbecue, Bulk Preparation and Sales
Air Condition Equipment custom Fabrication an	Barge, Gasoline, Retail Sales
Air Express Service	Barge, Terminal Private
Air Express Service Garage	Barge, Terminal Public
Air Express Service Warehouse	Baseball Park, Private
Airline Companies Office	Beer and Ale Dist Wholesale and Storage
Airplane Beacons	Belting, Repairing
Airplane Markers	Beverages, Bottling
Airplane Repair and Storage	Beverages, Wholesale and Storage
Airplane Sales and Display	Biscuit Companies, Manufacturing
Airplane Ground Schools	Biscuits, Wholesale and Storage
Airplane Parts Sales	Blacksmiths
Airports Private	Boat Manufacturing
Ambulance Service Garages	Boilers, Repairing
Amusement Parks	Boilers, Sales
Animal Boarding	Boilers, Storage
Animal Breeding Commercial	Bookbinders
Animal Hospitals	Book Publishing, Printing
Apothecary	Botanical Gardens
Armored Car Service Garages	Braces, Orthopedic Manufacturing
Armored Car Service Office	Brick Storage
Armory	Broadcasting Station
Artificial Flower Manufacturing	Brooms, Manufacturing
Artificial Limbs Manufacturing	Brushes, Manufacturing
Artificial Limbs Sales and Service	Buggy Manufacturing
Asbestos and Asbestos Products Storage	Building Contractor Equipment and Material St
Asbestos Products, Sale	Building Contractors' Offices
Asphalt Siding, Shingles, Roofing Manufacturing	Building Materials, Wholesale and Storage
Asphalt Siding, Shingles, Roofing Storage and	Buildings, Office
Athletic Fields, Private Property	Burglar Alarm Installation
Auction	Bus Lines Shops, Garage, Repair
Auctioneer's Auditorium	Business Machines Manufacturing
Automobiles Assembly	Business Machines Repair and Service
Automobiles Bodies, Sales (New)	Business Machines Storage and Wholesale
Automobiles Bodies, Sales (Used)	Butter and Cheese Manufacturing
Automobiles, Garages, Public	Button Covering (Fabrics)
Automobiles Laundry	Cabinet Makers
Automobiles Laundry Four (4) Stall Max Sel	Cafes (Restaurants Only - No Alcohol)
Automobiles Parking (Commercial)	Camera Fabrication
Automobiles Parts and Supplies (New) Sales	Camera Manufacturing
Automobiles Parts and Supplies (Used)	Candy, Wholesale
Automobiles Repair - Brake Electric Paint Radi	Canvas Goods (Fabrication)
Automobiles Service Stations	Canvas Manufacturing

City of North Little Rock, Arkansas

Car Barns	Desk, Manufacturing
Carpenters, Contractor's Office	Diesel Engines, Service, Equipment and Suppli
Carpenters' Shops and Power Woodworking	Distillers, Distribution, Warehouse
Carpet and Rug Cleaners and Storage	Distributing Service, Garage
Carton Manufacturing	Dock Private Shipping Company
Caskets, Meral, Manufacturing	Dog Pound
Caskets, Wood, Manufacturing	Doors, Sash and Trim, Wood Manufacturing
Cattle Shed	Draperies, Manufacturing
Cement Products Manufacturing (Pipe, Blocks,	Drilling Companies Offices
Cement Storage	Eggs, Storage and Processing
Cesspool Builders and Service Equipment Yard	Electric Contractors' Offices
Cesspool Builders and Service Offices	Electric Contractors' Shops
Chandler, Ship's	Electric Equipment Assembly
Cheese Manufacturing	Electric Light and Power Companies, Yard
Chemicals and Drugs Storage and Dist	Electric Plating
Chocolate and Cocoa Products Manufacturing	Electric Refrigeration Lockers
Cider and Vinegar Manufacturing	Electric Appliances Manufacturing
Cigarette Manufacturing	Elevators, Grain
Cigars Manufacturing	Enameling and Painting Bulk Production
City Buildings	Enameling and Painting Custom
Clock Factory	Engravers
Clothing, Manufacturing Wholesale and Distribution	Envelope Manufacturing
Coffee, Roasting	Express Companies, Garages
Coin Machines, Manufacturing	Express Companies, Office Only
Cold Storage	Express Companies, Warehouses
Comfort Station	Fabrics, Weaving and Spinning
Concrete Plant, Covered Hopper Type	Fallout Shelter
Concrete Contractors, Storage and Yards	Farm Labor Contractors
Concrete Products (Pipe Beams) Manufacturing	Feed (Grains) Manufacturing and Processing
Concrete Products, Storage	Ferry Docks, Railroad
Concrete Transit Mixed	Filling Station, Gasoline
Confectioners, Manufacturing	Filters, Fabrication
Container (Paper) Manufacturing	Fire Station
Conservatory, Commercial Botanical	Fishing Tackle Fabrication
Contractors' Equipment and Supplies, Storage	Flags and Banners, Manufacturing
Contractors, Office	Floor Refinishing Contractors, Shop
Conveyors, Sales	Flour and Grain Storage and Elevators
Corsets and Brassieres, Manufacturing	Forest Land
Cosmetics, Manufacturing	Freight Depot
Cotton Storage	Freight Forwarders' Warehouses
Cotton Ginning	Freight Traffic Service Offices
Cotton Seed Products, Storage	Frozen Foods, Processing
Cotton Spinning and Weaving	Frozen Foods, Storage and Distribution
County Buildings	Fruit and Vegetable Juice, Processing
Crating Service	Fuel Distribution Station Gasoline
Crop Dusting Equipment Yards	Fur Warehouse Raw Hides
Dairies, Distribution	Furniture, Bulk Manufacturing, Metal, Wood
Dairies, Pasteurization	Furniture, Custom Fabrication
Dairy Equipment and Supplies Manufacturing	Furniture, Repairing and Finish
Dairy Products Manufacturing	Garment Factory
Delivery Service Office	Gasoline, Retail Sales

City of North Little Rock, Arkansas

Glass Blowing, Custom	Meat Storage
Golf Clubs, Private	Meat, Wholesale
Government Buildings	Meat and Fish Wholesale Market
Harness Repair	Men's Clothing Manufacturing
Hat Manufacturing, Cloth	Metals, Standard Shapes
Hat Manufacturing, Felt	Metals, Machine Shop Operations
Heating Contractors' Offices	Metals, Plating, Custom and Replating
Heating and Ventilating Apparatus, Assembly	Metals, Production Fabricating/Assembly (Non
Heating and Ventilating Apparatus, Storage	Metals, Sharpening
Heliport	Meters, Manufacturing
Hoist, Equipment Storage	Milk Bottling Plant
Horse, Dog and Cat Hospital	Milk Pasteurization
Horseshoeing	Millwork (Woodworking) Manufacturing
Hosiery Manufacturing	Millwork Sales and Storage
Hotel Equipment, Assembly and Custom Fabrication	Mining Machinery, and Supplies, Display and
Industrial Truck Body Manufacturing	Model Construction Supplies, Manufacturing
Insecticides, Storage and Distribution	Mortar, Bulk Preparation and Sales
Insulation, Contractors' Equipment Yards	Motion Picture Equipment Storage and
Insulation Materials Storage and Wholesale	Manufacturing
Interior Decorators, Display and Sales	Motion Picture Studios
Interior Decorators, Workshop	Motor Freight, Company, Garages
Iron, Custom Decorative Wrought Iron Shops	Motor Freight Company Offices
Japanning and Shellacking Works	Motor Freight Company, Warehouse
Jewelers, Bulk Manufacturing	Motorcycles, Repairing and Sales
Jobbers, Bulk Materials	Movers, Garages
Kennels	Movers, Warehouses
Knit Goods Manufacturing	Multigraphing, Commercial
Laboratories, Analytical and Chemical	Noodles, Manufacturing
Laboratories, Commercial Analytical	Notions, Manufacturing and Wholesale
Laboratories, Experimental and Research	Novelties, Manufacturing and Wholesale
Ladies Wear, Manufacturing	Nuts, Edible, Processing
Leather Goods, Manufacturing	Office Building
Libraries, Private, Rental	Office Furniture, Storage and Warehouse
Lighting and Power Plants	Office Furniture, Manufacturing
Limb (Artificial) Manufacturing	Oil Burners, installation and Repair
Lime Storage	Oil Burners, Sales and Showroom
Linen Goods Manufacturing, Spinning, Weaving	Oil and Gas Stations
Lithographers	Optical Goods, Manufacturing
Livestock Sales and Shipping	Ornamental Metal Works Custom Hand Fabrication
Lockers, Food Storage (No Processing)	Orthopedic Appliances, Manufacturing
Lockers, Food Storage with Processing	Overall Manufacturing (Clothing)
Loft Buildings	Packing and Crating Service Fabrication
Lumber, Cabinet Working	Packing and Crating Service, Sawmill Operation
Lunch Rooms	Paint and Varnish, Bulk Storage, Warehouse
Macaroni Manufacturing	Paint and Varnish, Manufacturing
Machinery Shops	Painters' Equipment and Supplies Shops Wholes
Machine Tools, Storage	Paper Products, Manufacturing (Carton, Contain
Machinery, Rental	Paper Products, Wholesale and Storage
Machinery, Used, Storage	Paper Storage
Machinery Dealers, Sales and Showrooms	Parking Lots, Private
Mattress Manufacturing	Parks, Amusement, Private
	Parks, Public

City of North Little Rock, Arkansas

Pattern Shop	Seed, Wholesale Sales
Paving Contractors' Equipment Storage	Septic Tanks, Contractors Construction
Paving Materials Storage Yard	Service Station Equipment, Wholesale
Pickles, Processed, Wholesale and Storage	Service Station (Gasoline)
Pies, Bulk, Commercial Bakery	Sewage Disposal Systems, Private
Pipe, Concrete, Manufacturing	Sewage Disposal Systems, Public
Pipe Concrete, Storage	Sewer Pipe Manufacturing, Concrete
Pipe, Metal, Storage	Sewer Pipe Manufacturing, Tile and Terra Cot
Pipe, Used. Storage and Sales	Sewer Pipe Storage
Pipe Coverings, Contractors' Shops	Sewer Service, Equipment Yard
Pipe Fittings, Storage and wholesale	Sheet Metal Work, Custom Fabrication
Plaster, Wholesale and Storage	Shirt Factory
Plasterers, Contractors' Yards	Shoe Repairing Equipment and Supplies Wholesale
Plating Works, Precious Metals	Sightseeing Tours, Garages
Plumbers' Shop	Ship Storage Yard
Plumbing Fixtures and Supplies Display and Sales	Shipping Company Docks
Plumbing Fixtures and Supplies Wholesale and	Sign Erectors, Contractors' Shops
Popcorn, Dispensing Un - Popped	Sign Painters, Shops
Poster Illustration, Studio	Signs, Maintenance Service Shop
Poultry Supplies, Wholesale and Storage	Signs, Neon and Metal Fabrication
Printers	Skylights, Custom Manufacturing
Printers' Equipment and Supplies, Wholesale	Slip Covers, Custom Manufacturing
Produce (Garden), Wholesale	Soaps, Wholesale and Storage
Public Storage Garages	Social Centers
Public Utility Plant	Soda Water Manufacturing
Publishers' Offices	Soft Drink Stand
Pumps, Repairing and Rental	Spices, Wholesale and Storage
Quilt Manufacturing	Spinning Mill
Radio, Equipment Assembly	Sporting Goods, Manufacturing
Railroad Agents	Spraying Supplies Equipment Yard
Railroads, Service and Repair Yards	Springs, Replacements and Repair
Recreation Centers, Public	Stair Builders, Metal
Refrigerators, Servicing	Stair Builders, Wood
Restaurants (No Alcohol)	Steel Awning, Custom Manufacturing
Riding Academies	Steel Erectors' Equipment Yards
Road Building Equipment Sales	Steel Fabrication, Light Sections
Road Building Equipment Storage Yard	Stock Yards (Livestock)
Roofers, Contractors' Offices	Storage Warehouse
Roofing Materials, Storage And Sales	Storage Yards, Bulk Material
Rubber Stamps Manufacturing	Storage Yards, Equipment
Rug Cleaners	Store Front Construction Shops
Saddle Factory	Store and Office Fixtures Contractors' Shops
Safe Depositories	Stoves and Ranges, Wholesale Storage
Safes, Sales	Tank Coating Equipment Yard
Sail, Loft, Fabrication	Tanks, Erection, Contractors Yard
Scaffolds, Equipment Storage	Tanks Fabrication
Scales, Commercial Weighing	Taxicab Garages
Scavenger Equipment Storage Yard	Taxicab Storage, Repair
School Equipment and Supplies, Wholesale	Taxidermists
Scrap Metal (Non - Ferrous) Storage and Sel	Tea and Spice Packing
Screens, Doors and Windows, Manufacturing	Tents and Awnings, Manufacturing

City of North Little Rock, Arkansas

Terrazzo Contractor Shops	Veterinarians, Clinics
Textile Mills	Veterinarians, Office Only
Tile Contractors, Storage	Wagon shop, Repairs
Tile Manufacturing, Decorative	Warehouses
Tile Manufacturing Structural	Watches, Manufacturing
Tin Shop, Fabrication	Water Coolers (Drinking Fountains), Repair
Tire Repairing, Equipment and Supplies	Water Heaters, Service and Repairing
Tobacco, Retail	Water Softening Equipment, Service and Repair
Tobacco, Wholesale, Storage	Water Supply Systems, Contractors Shop
Tool, Grinding and Sharpening	Waxed Container Manufacturing
Tools, Wholesale and Distribution	Weaving Mills
Tortillas, Manufacturing Wholesale	Weighers, Commercial
Tours, Garages	Welding, Commercial
Towels, Supply Service	Welding, Equipment and Supplies, Storage
Tractors, Rental	Welding Shop
Tractors, Retail Sales and Display	Well Drilling, Equipment Yard
Trailers, Repairing	Wharf, Private Shipping
Transfer Business	Wholesale Nursery
Truck Freight Movers (See Express, Also)	Winches, Equipment Rentals
Trucks, Manufacturing	Window Display Installation, Studio and Shops
Trusses, Manufacturing Custom And Retail	Woodworking, Cabinet and Custom Mill Work
Umbrella Fabrication	Wool Spinning Weaving
Underwear, Wholesale Manufacturing	Worsted Goods Manufacturing
Upholsterers, Custom	Woven Goods, Manufacturing Mills
Upholsterers, Supplies Sales	Zoological Gardens, Public

Sec. 118-125. I-3 Industrial Park District.

- (a) **Description of district.** The I-3 industrial park district is composed of industrial areas of the city and is downwind from residential and business areas. Regulations are the minimum required for mutual protection of the industrial users, and, to that end, the district should not be adjacent to any residential or business district, if such abutment can possibly be avoided. The district is intended to provide good and attractive sites for industrial uses, to encourage a high standard of industrial development, and/or to encourage the location of industries requiring the use of water and/or river transportation.
- (b) **General conditions.** The general conditions applying to all zone districts and the general conditions applying to industrial zone districts shall be in full force and effect in the I-3 district.
- (c) **Permitted structures.** Each lot shall have at least one front property line and shall be occupied only by structures containing permitted uses and such accessory buildings as are clearly incidental and normal to and are operated and maintained by the owner or tenant of the permitted use, provided, however, that it shall not be a residence.
- (c) **Permitted uses.** In the I-3 district only those uses specified under I-3 in the list of permitted uses, section 118-1 of these regulations, will be permitted, except that certain uses in the I-3 industrial zone may be permitted only after two-thirds vote of the entire membership of the planning commission:

Abattoir	Horses, dog and cat hospital
Acid manufacturing	Hydrochloric acid manufacturing
Ammonia manufacturing	Incineration of animals and
Ammunition manufacturing	garbage
Animal boarding	Kennels
Animal breeding (commercial)	Livestock, slaughter
Animal hospitals	Picric acid, manufacturing
Bones: reduction or distillation	
Coal mining	Raw hides and skins, treatment
Dead stock collectors	Reduction of garbage, offal
Dog pound	Rendering works
Explosives, manufacturing	Rubbish removal, private
Explosives, storage and distribution	equipment
Fat rendering	Slaughterhouses
Fireworks or explosives,	Tallow rendering
manufacturing	Tannerie
Fur preparation (tanning)	
Raw hides warehouse	
Garbage, reduction, scavenging	
Glue manufacturing	
Grease and tallow manufacturing	
Gunpowder manufacturing	
Hide and tallow manufacturing	

(e) **Dimensional requirements.** The lot for an I-3 industrial district shall comply with the following dimensional requirements:

- (1) **Minimum front yard.** All structures shall be set back a distance of not less than 40 feet from each property line, or as required in other ordinances, whichever is the greater; provided, however, that, where the height of any main structure exceeds 50 feet as permitted under these district regulations, the front yard setback shall be increased one foot for each increment of five feet of increased structure height above 50 feet up to the maximum permitted height.
- (2) **Minimum side yards.** There shall be two side yards to each lot. The minimum required side yard width shall not be less than ten percent of the lot width at the front building line, but in no case shall it be less than 20 feet, except that any side yard abutting a street shall be at least 30 feet, unless under the master street plan, as existing or amended, or other ordinances a greater setback is required for the purpose of street widening or for other reasons; provided, however, that when structures on abutting lots share a common rail facility extending along the side of the building the side yard on that side of the building may be reduced, with the commission's approval, to facilitate common usage of the railroad spur. Where the height of any main structure exceeds 50 feet as permitted under these district regulations, the side yard setback shall be increased one foot for each increment of five feet of increased structure height above 50 feet up to the maximum permitted height.
- (3) **Minimum rear yard.** There shall be a rear yard having a depth of not less than 30 feet.
- (4) **Maximum height.** No building hereafter erected or structurally altered shall exceed eight stories or 90 feet in height, provided, however, that chimneys, vents, air conditioning towers, accessory water towers and elevator shafts, all clearly accessory to the main structure, shall be permitted to exceed this height limitation up to but not exceeding 25 percent of the total permitted height, and that no illuminated sign, name, display or advertising device of any kind whatsoever shall be inscribed or attached to any portion of any structure exceeding the height limitations.
- (5) **Location of accessory buildings.** No accessory buildings shall be located on any required front or side yard, or within 40 feet of any street or within 20 feet of any lot line, that is not a street line, unless otherwise provided for herein. Fences up to 84 inches in height may be erected along any boundary line of the side yards or rear yard from the front building line to the rear lot line and along the rear lot line, except where the rear lot line abuts a street, and such fences shall not be deemed structures for the purpose of this section.

- (6) ***Lot coverage.*** On each lot there shall be 60 percent of the total lot area retained as clear and unobstructed open space, provided, however, that such open space may be used for parking areas and access roads, further provided that such parking areas and access roads do not encroach on any required landscaped areas.
- (f) ***Off-street parking.*** The provisions of section 118-178, Off-street parking requirements, shall be in full force and effect in the I-3 district.
- (g) ***Off-street loading requirements.*** The provisions of section 118-179, Off-street loading requirements, shall be in full force and effect in the I-3 district.
- (h) ***Corner visibility.*** On a corner lot, within the areas formed by the right-of-way lines of intersecting streets and a line joining points on such right-of-way lines at a distance of 25 feet from their intersection, there shall be no obstruction to vision between a height of two feet and a height of ten feet above the average grade of each street at the centerline thereof, except that street name signs, fire hydrants, street lighting poles and associated appurtenances thereto shall be permitted within this area.
- (i) ***Planned building groups.*** The provisions of section 118-180, Planned building groups, shall have no force and effect in the I-3 district.
(Ord. No. 3171, § 702.4-4, 3-26-62; Ord. No. 3221, § 1, 11-19-62)

Secs. 118-126--118-147. Reserved.

I-3 Allowed Uses

Abattoir	Automobiles Assembly
Abrasive Manufacturing	Automobiles Manufacturing
Academy, Riding	Automobiles Parking (Commercial)
Acetylene Manufacturing	Automobiles Repair - Brake Electric Paint Radi
Acetylene Storage	Bag Cleaning
Acid Manufacturing	Bag Jobbers (Burlap)
Acoustical Material Manufacturing	Bags, Paper Manufacturing
Acoustical Material Storage	Balls and Bearings Manufacturing
Ag. Implements Distribution and Display	Balls and Bearings Sales
Ag. Implements Manufacturing	Balls and Bearings Storage
Ag. Implements Repair and Service	Barge, Gasoline, Retail Sales
Ag. Implements Sales	Barge, Terminal Private
Ag. Tillage Contractors	Barge, Terminal Public
Air Condition Equipment Mass Unit Production	Barrel Manufacturing Wood
Air Express Service	Baseball Park, Private
Air Express Service Garage	Beer, Brewing
Air Express Service Warehouse	Beer and Ale Dist Wholesale and Storage
Airline Companies Office	Beet sugar, manufacturing
Airplane Beacons	Belting, Repairing
Airplane Manufacture	Belting, Manufacturing
Airplane Markers	Beverages, Bottling
Airplane Repair and Storage	Beverages, Wholesale and Storage
Airplane Sales and Display	Blacksmiths
Airplane Ground Schools	Blast Furnaces
Airplane Parts Sales	Bleacheries, Cloth Processing
Airports Private	Bleaching Compound Manufacturing
Airports Public	Blooming Mill
Ambulance Service Garages	Boat Manufacturing
Ammonia Manufacturing	Boilers, Manufacturing
Ammonia Storage	Boilers, Repairing
Ammunition Manufacturing	Boilers, Sales
Amusement Parks	Boilers, Storage
Aniline Color or Development Manufacturing	Bolts and Nuts, Manufacturing
Animal Boarding	Bones Reduction or Distillation
Animal Breeding Commercial	Book Publishing, Printing
Animal Hospitals	Botanical Gardens
Apothecary	Bottle Manufacturing
Armored Car Service Garages	Bottlecaps and Seals, Manufacturing
Armored Car Service Office	Bottlecaps and Seals, Sales
Asbestos, Manufacturing	Bottled Gas, Manufacturing
Asbestos and Asbestos Products Storage	Bottled Gas, Storage and Distribution
Asbestos Products, Sale	Bottles, Wholesale
Asphalt and Asphalt Products Processing	Boxes, Paper Manufacturing
Asphalt Siding, Shingles, Roofing Manufacturing	Boxes, Sales
Asphalt Siding, Shingles, Roofing Storage and	Boxes, Wood Manufacturing
Athletic Fields, Private Property	Brake Lining Manufacturing
	Breweries

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Brick Kilns	City Buildings
Brick Storage	Clay Products Manufacturing
Broadcasting Station	Cleaning Compounds Manufacturing
Brooms, Manufacturing	Cleaning Compounds Storage
Brushes, Manufacturing	Clock Factory
Buggy Manufacturing	Cloth, Weaving and Spinning
Building Contractor Equipment and Material St	Clothing, Manufacturing Wholesale and Distribution
Building Contractors' Offices	Coal and Coke Yards
Buildings, Office	Coal Mining
Burlap Processing	Coal Tar Distillates and Products
Business Machines Manufacturing	Coin Machines, Manufacturing
Business Machines Repair and Service	Coke Ovens, Manufacturing
Business Machines Storage and Wholesale	Cold Storage
Butane Distribution	Comfort Station
Butane Manufacturing, Sales and Storage	Concrete (Bulk), Manufacturing
Button Manufacturing , Metal Plastics	Concrete Contractors, Storage and Yards
Cafes (Restaurants Only - No Alcohol)	Concrete Products (Pipe Beams) Manufacturing
Camera Manufacturing	Concrete Products, Storage
Candle Manufacturing	Concrete Transit Mixed
Candy Manufacturing	Condensed Milk Manufacturing
Cannery	Conservatory, Commercial Botanical
Canvas Manufacturing	Container (Paper) Manufacturing
Car Manufacturing, Railroad	Cooperage Works
Carbide Manufacturing	Cordage Mill
Carbide Sales and Distribution	Corsets and Brassieres, Manufacturing
Carbonic Gas Manufacturing	Costumes Rentals
Carbonic Gas Sales and Storage	Cotton Seed Products, Manufacturing
Carbonic Ice Bulk Sales and Distribution	Cotton Seed Products, Storage
Carbonic Ice Manufacturing	Cotton Spinning and Weaving
Carpet Manufacturing	County Buildings
Carriage And Wagon Manufacturing	Crating Service
Carton Manufacturing	Creosote Treatment or Manufacturing
Casino Manufacturing	Crockery Manufacturing
Caskets, Metal, Manufacturing	Crop Dusting Equipment Yards
Caskets, Wood, Manufacturing	Dairy Equipment and supplies Manufacturing
Cast Iron Pipe Manufacturing	Dates (Fruits) (Processing)
Caustic Soda manufacturing	Dead Stock Collections
Celluloid Manufacturing	Decoration, Workshop equipment Yard
Cellulose Manufacturing	Delivery Service Office
Cement Manufacturing	Desk, Manufacturing
Cement Products Manufacturing (Pipe, Blocks,	Dextrin Manufacturing
Cement Storage	Diesel Engines, Manufacturing
Chalk Manufacturing	Diesel Engines, Service, Equipment and supplies
Chandler, Ship's	Disinfectants, Manufacturing
Charcoal Manufacturing and Pulverizing	Disinfectants, Storage And Wholesale
Chemicals and Drugs Manufacturing	Distillation Of Coal, Wood, Bones
Chemicals and Drugs Storage and Distribution	Distillers
Chewing Tobacco Manufacturing	Dock Private Shipping Company
Chlorine Manufacturing	Dog Pound
Cigarette Manufacturing	Doors, Metal Manufacturing
Cigars Manufacturing	Doors, Sash and Trim, Wood Manufacturing

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Draperies, Manufacturing	Freight Depot
Drilling Company Equipment Yards	Freight Forwarders' Warehouses
Drugs, Manufacturing	Freight Traffic Service Offices
Dry Goods, Wholesale Or Storage	Frozen Foods, Processing
Dyestuffs, Manufacturing	Frozen Foods, Storage and Distribution
Electric Equipment Assembly	Fruit and Vegetable Juice, Processing
Electric Equipment Manufacturing	Fur Preparation (Tanning)
Electric Plating	Fur Warehouse Raw Hides
Electric Appliances Manufacturing	Furniture, Bulk Manufacturing, Metal, Wood
Elevators, Grain	Furniture, Custom Fabrication
Elevators, Manufacturing	Garage, Repair
Emery Cloth and Sandpaper Manufacturing	Garbage, Reduction, Scavenging
Engine Manufacturing	Gas, Bottled, Manufacturing
Envelope Manufacturing	Gas, Butane, Manufacturing
Excelsior, Manufacturing	Gas Companies' Offices
Excelsior, Storage and Distribution (Bulk)	Gas Tanks, Illuminating
Explosives, Manufacturing	Gasholders, Illuminating Public Utility Company
Explosives, Storage and Distribution	Gasoline, Bulk Storage Tanks
Express Companies, Garages	Gasoline, Refineries
Express Companies, Office Only	Gasoline, Retail Sales
Express Companies, Warehouses	Gelatin, Manufacturing
Exterminator and Insect Poison Manufacturing	Glass Blowing, Bulk Processing
Extrusion Of Metals	Glass Blowing, Custom
Fabrics, Weaving and Spinning	Glass Manufacturing, Window and Pane
Fallout Shelter	Glucose Manufacturing
Farm Labor Contractors	Glue and Fertilizer Manufacturing
Fat Rendering	Glue Size Of Gelatin Manufacturing
Feed (Grains) Manufacturing and Processing	Golf Clubs, Private
Felt, Building Insulation Manufacturing	Government Buildings
Felt, Fabric Manufacturing	Graphite Manufacturing
Fences, Metal, Fabrication Manufacturing	Grease and Tallow Manufacturing
Ferry Docks, Railroad	Grist Mill
Fertilizer, Natural Storage	Gunpowder Manufacturing
Fertilizer, Manufacturing	Gutta Perches Manufacturing
Fertilizer, Processed, Storage Only	Gypsum Or Plaster of Paris Manufacturing
Filters, Fabrication	Hair Products Factory
Fire Brick manufacturing	Hat Manufacturing, Cloth
Fire Clay Products Manufacturing	Hat Manufacturing, Felt
Fire Escape Contractors	Heavy Casting, Manufacturing
Fire Station	Heliport
Fireproofing, Manufacturing	Hide & Tallow Manufacturing
Fireworks Or Explosives Manufacturing	Horse, Dog and Cat Hospital
Fish, Curing	Horseradish Manufacturing
Flags and Banners, Manufacturing	Horseshoeing
Floor Materials (Linoleum), Manufacturing	Hose Manufacturing
Floor Polish and Wax Manufacturing	Hosiery Manufacturing
Flour and Grain Storage and Elevators	Hotel Equipment, Assembly and Custom Fabrication
Flour Mills	House Movers Equipment Storage, Yards
Forest Land	House Wreckers
Forge Plants	Hydrochloric Acid Manufacturing
Foundries	Ice, Manufacturing

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Ice Storage, Retail Distribution	Machinery Dealers, Sales and Showrooms
Incineration of Animals and Garage	Malleable Casting Manufacturing
Industrial Truck Body Manufacturing	Malt Extracts Manufacturing
Insecticides, Manufacturing	Marble, Quarry Processing
Insecticides, Storage and Distribution	Marches, Manufacturing, Wholesale and Storage
Insulation Materials, Manufacturing	Mattress Manufacturing
Insulation Materials Storage and Wholesale	Meat Storage
Iron, Custom Decorative Wrought Iron Shops	Meat, Wholesale
Iron Foundry	Meat and Fish Wholesale Market
Irrigation Companies and Equipment	Meat Packers
Jewelers, Bulk Manufacturing	Men's Clothing Manufacturing
Jute Mills	Metal Polish Manufacturing
Kalsomine manufacturing	Metals, Bulk Metal Processing and Casting
Kennels	Metals, Extraction (Mining)
Kerosene Manufacturing or Storage	Metals, Extrusions of Shapes
Knit Goods Manufacturing	Metals, Galvanizing
Laboratories, Analytical and Chemical	Metals, Heavy Castings, Primary Processing
Laboratories, Commercial Analytical	Metals, Machine Shop Operations
Laboratories, Experimental and Research	Metals, Ore Reduction and Foundry
Ladies Wear, Manufacturing	Metals, Plating
Lampblack Manufacturing	Metals, Plating, Custom and Replating
Lard Manufacturing	Metals, Production Fabrication/Assembly (Non
Lath Manufacturing	Metals, Rolling Mill
Lead (White) and Oil Manufacturing	Meters, Manufacturing
Leather, Artificial or Synthetic	Milliners, Wholesale and Manufacturing
Leather Findings	Mills, Flour and Grain
Leather Goods, Manufacturing	Mills, Jute
Leather Goods Manufacturing Tanning	Millwork (Woodworking) Manufacturing
Libraries, Private, Rental	Mining
Lighting and Power Plants	Mining Machinery, Wholesale, Storage
Lime Manufacturing	Mirrors, Bulk Storage
Lime Storage	Mirrors, Resilvering Custom Work
Linen Goods Manufacturing, Spinning, Weaving	Molasses Manufacturing
Linoleum, Manufacturing	Monastery
Linseed Oil Manufacturing	Monuments, Manufacturing
Liquor Distilleries	Mortar, Bulk Preparation and Sales
Livestock Slaughter	Motion Picture Equipment Storage and Manufac
Lockers, Food Storage with Processing	Motion Picture Studios
Locomotive Manufacturing	Motor Freight, Company, Garages
Loft Buildings	Motor Freight Company Offices
Lubricating Compounds, Manufacturing	Motor Freight Company, Warehouse
Lubricating Compounds, Storage	Movers, Garages
Lubricating Oil Manufacturing	Movers, Warehouses
Lumber, Bulk Processing	Newspaper Printing
Lunch Rooms	Nitrating of Cotton or Other Materials
Macaroni Manufacturing	Nitric Acid or It's Derivatives Manufacturing
Machine Shops	Noodles, Manufacturing
Machine Tools, Manufacturing	Notions, Manufacturing and Wholesale
Machine Tools, Storage	Novelties, Manufacturing and Wholesale
Machinery, Rental	Nuts, Edible, Processing
Machinery, Used, Storage	Nuts, Industrial, Processing

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Office Building	Pipe, Used, Storage and Sales
Office Equipment Manufacturing	Planing Mill
Office Furniture, Storage and Warehouse	Plaster, Manufacturing
Office Furniture, Manufacturing	Plastic and Plastic Products Manufacturing
Oil, Fuel Storage	Plating Works, Bulk (Galvanizing)
Oil, Vegetable, Processing	Plating Works, Precious Metals
Oil Burners, Manufacturing	Potash Works
Oil Refinery	Potato Chips, Manufacturing
Oilcloth Manufacturing	Poultry Feed Manufacturing`
Oiled, Rubber Or Synthetic Leather Goods Manu	Poultry Slaughter and Dressing
Oleomargarine Manufacturing	Printers' Inc. Manufacturing
Olives, Processing	Public Utility Plant
Optical Goods, Manufacturing	Pumice Manufacturing
Ordinance Manufacturing	Propylene Manufacturing
Ore Dumps and Elevators	Quarries
Ore Reduction	Quilt Manufacturing
Organ Manufacturing	Radio, Equipment Assembly
Ornamental Metal Works Custom Hand Fabrication	Rags, Bulk Collection and Storage
Ornamental Metal Works Mass Production	Rags, Processing
Overall Manufacturing (Clothing)	Railroad Agents
Oxygen Equipment, Rental and Distribution	Railroads, Service and Repair Yards
Oxygen Production and Storage	Raw Hides and Skins Treatment
Packing and Crating Service Fabrication	Recreation Centers, Public
Packing and Crating Service, Sawmill Operatio	Reduction Of Ore
Packing Plants (Meats)	Reduction Of Garbage, Offal
Paint and Varnish, Bulk Storage, Warehouse	Refrigeration Equipment, Custom Installation
Paint and Varnish, Manufacturing	Refrigerators, Wholesale, Storage
Painting Contractors, Office Only	Rendering Works
Paper Manufacturing	Restaurants (No Alcohol)
Paper Products, Wholesale and Storage	Rice Cleaning and Polishing
Paper Storage	Riding Academies
Paraffin (Same As Petroleum)	Rock Crushing
Parking Lots, Private	Rolling Mills
Parks, Amusement, Private	Rope Manufacturing, Rope Walk
Parks, Public	Round House
Pattern Shop	Rubber Products Manufacturing
Pencil Factory	Rubber Products Salvage
Perfumery Manufacturing	Rubber Stamps Manufacturing
Peroxyline (Plastics) Manufacturing	Rubbish Removal, Private Equipment and Storage
Petroleum Refining	Rug Manufacturing
Petroleum Storage, Wholesale	Saddle Factory
Pharmaceutical Products Manufacturing	Sail, Loft, Fabrication
Phonograph Records, Manufacturing	Salt Refining
Piano Manufacturing	Sand and Gravel Processing and Storage
Pickles, Processed, Wholesale and Storage	Sandpaper Manufacturing
Pickles, Processed	Sauerkraut Manufacturing
Picric Acid Or Its Derivatives, Manufacturing	Sausage
Pipe, Concrete, Manufacturing	Sawdust Manufacturing
Pipe Concrete, Storage	Sawmill
Pipe, Metal, Manufacturing	Scaffolds, Equipment Storage
Pipe, Metal, Storage	Scales, Commercial Weighing

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Scrap Metal (Non - Ferrous) Storage and Sel	Store and Office Fixtures Contractors' Shops
Screens, Doors and Windows, Manufacturing	Stove Polish, Manufacturing
Screw and Bolt Manufacturing	Stoves and Ranges Manufacturing
Seed, Treatment, Processing, Extraction Of Oi	Structural Steel Manufacturing
Septic Tanks, Servicing and Cleaning Equipmen	Sugar Refining
Sewage Disposal Systems, Private	Sulfuric Acid Manufacturing
Sewage Disposal Systems, Public	Sweeping Compound Manufacturing
Sewer Pipe Manufacturing, Concrete	Syrup and Preserve manufacturing
Sewer Pipe Manufacturing, Tile and Terra Cot	Tallow Rendering
Sewer Pipe Storage	Tanks Fabrication
Sheet Metal Work, Custom Fabrication	Tanneries
Shell Grinding	Tar, Distillation Or Manufacturing
Shellac Manufacturing	Tar Roofing Or Waterproofing, Manufacturing
Shingle Manufacturing	Taxidermists
Shipyards	Tea and Spice Packing
Shirt Factory	Terra Cotta Manufacturing
Shoddy Manufacturing	Textile Mills
Shoe Blackening Manufacturing	Thermometers Manufacturing
Shoe Manufacturing, Bulk	Tile Manufacturing Structural
Ship Storage Yard	Tin Refining, Ore Reduction
Shipping Company Docks	Tin Shop, Fabrication
Silk Manufacturing	Tinfoil Manufacturing
Size Manufacturing	Tires, Manufacturing
Skylights, Custom Manufacturing	Tobacco, Chewing, Manufacturing Or Treatment
Slaughterhouses	Tobacco, Cigarette, Manufacturing
Slip Covers, Custom Manufacturing	Tobacco, Curing
Smelting Or Refining Or Metal	Tobacco, Retail
Snuff Manufacturing	Tobacco, Wholesale, Storage
Soaps, Manufacturing	Tombstone, Manufacturing
Social Centers	Tool, Grinding and Sharpening
Soda Ash Manufacturing	Tortillas, Manufacturing Wholesale
Soda Compound Manufacturing	Tractors, Rental
Soda Water Manufacturing	Tractors, Retail Sales and Display
Soft Drink Stand	Truck Freight Movers (See Express, Also)
Soot Blower Manufacturing	Trucks, Manufacturing
Soy Bean Oil Manufacturing	Trusses, Manufacturing Custom And Retail
Spices, Processing	Turpentine Manufacturing
Spinning Mill	Umbrella Fabrication
Sporting Goods, Manufacturing	Underwear, Wholesale Manufacturing
Springs, Metal, Manufacturing	Upholsterers, Custom
Stair Builders, Metal	Varnish Manufacturing
Stair Builders, Wood	Veterinarians, Clinics
Starch Manufacturing	Veterinarians, Office Only
Steel Awning, Custom Manufacturing	Vinegar Manufacturing
Steel Fabrication, Heavy Sections	Wagon Manufacturing
Steel Fabrication, Light Sections	Wagon Shop, Repairs
Steel Manufacturing, Rolling Mills, ECT	Wall Board, Manufacturing
Steel Tank Manufacturing	Wallpaper Manufacturing
Stock Yards (Livestock)	Washing Powder, Manufacturing
Stone Crushing	Washing Soda, Manufacturing
Stone Cutting and Screening	Waste Paper Products, Manufacturing

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Watches, Manufacturing	Wood Preserving, Treatment
Water, Distilled, Processing	Wood Products, Manufacturing
Water, Mineral, Drinking Or Curative Bottle /	Wood Pulp Manufacturing
Waterproofing Materials Manufacturing	Woodworking, Cabinet and Custom Mill Work
Wax Processing	Woodworking, Equipment, Wholesale
Waxed Container Manufacturing	Woodworking, Sawmill, Bulk, Processing
Weaving Mills	Wool Processing
Weighers, Commercial	Wool Scouring Or Pulling
Welding, Commercial	Wool Spinning and Weaving
Welding Shop	Worsted Goods Manufacturing
Well Drilling, Equipment Yard	Woven Goods, Manufacturing Mills
Wharf, Private Shipping Company	Woven Goods, Fabrication and Assembly
White Lead Manufacturing	Yeast Cultivation, Bulk
Wines, Distillation	Zinc Refining
Wines, Storage, Distribution and Bottling	Zoological Gardens, Public
Wire Rope and Fencing Fabrication	

Subdivision V. Other Districts

Sec. 118-148. PUD-R-7 Planned Unit Development District.

- (a) ***Statement of purpose.*** It is the intent of this section to encourage developments with superior living environments brought about through unified development and to provide for the application of design ingenuity in such developments while protecting existing and future surrounding developments and achieving the goals of the comprehensive plan of development for the city. The PUD planned unit development district herein established is intended to provide for greater flexibility in the design of buildings, yards, courts, circulation and open space than would otherwise be possible through the strict application of other district regulations, and to produce:
- (1) A maximum choice in the types of environment and living units available to the public;
 - (2) Open space and recreation areas;
 - (3) A pattern of development which preserves trees, outstanding natural topography and geologic features, and prevents soil erosion;
 - (4) A creative approach to the use of land and related physical development;
 - (5) An efficient use of land resulting in smaller networks of utilities and streets and thereby lowering costs;
 - (6) An environment of stable character in harmony with surrounding developments; and
 - (7) A more desirable environment than would be possible through the strict application of other sections of this chapter.

The PUD planned unit development district regulations are designed to provide for small- and large-scale developments incorporating a single type or a variety of residential, commercial and related uses which are planned and developed as a unit. Such development may consist of individual lots or it may have common building sites. Private or public common land and open space must be an essential and major element of the plan which is related to and affects the longterm value of the homes and other development. A planned unit shall be a separate entity with a distinct character in harmony with surrounding development.

- (b) ***Authority.*** The authority for the establishment of these regulations was granted by A.C.A. tit. 14, ch. 56, subch. 4 (A.C.A. § 14-56-401 et seq.).

- (c) ***Applicability.*** The PUD planned unit development district is created as a special zone and shall be so designated by a zone classification "PUD" with boundaries on the zoning district map. All lands within the corporate limits and such other lands outside the corporate limits over which the city exercises zoning jurisdiction as permitted by Arkansas Statutes shall be eligible for designation as a PUD. The standards, design criteria and procedures adopted herein are designed to enable the district to operate in harmony with the plan for land use and population density embodied in this chapter.
- (d) ***Standards of development.***
 - (1) ***Ownership control.*** The land in a planned unit development district shall be owned, leased or otherwise controlled by a person, firm, group of individuals, partnership, corporation or trust, provided assurances are given through the procedures contained herein that the project can be successfully completed.
 - (2) ***Minimum district area.*** The minimum area for a PUD planned unit development district shall be three acres. In calculating the minimum area for a PUD district, the measurements shall include the area of all dedicated streets entirely within the boundary of the proposed PUD and one-half of the area of all boundary or perimeter streets.
 - (3) ***Uses permitted.*** Property and buildings in a PUD district shall be as follows:
 - a. Single-family attached and detached residences, two-family dwelling units and multiple-family dwelling units including triplexes, fourplexes, townhouses, row houses, garden apartments, condominiums and high-rises.
 - b. Public and semipublic parks; and private common areas, playgrounds, landscaped areas and greenbelts maintained by homeowners' association.
 - c. Public uses such as schools and churches.
 - d. Clubs and lodges; golf course and club.
 - e. Docks and marinas.
 - f. Public utility facilities and rights-of-way.
 - g. C-1 and C-2 commercial uses.
 - (4) ***Special permit uses.***

- a. In addition to the above permitted uses by right, certain other uses may be permitted in accordance with the restrictions included herein. These uses more intensely dominate the area in which they are located than do other uses permitted in the PUD district and as such they require special considerations and restrictions. The following uses are designated as special permit uses:
 - 1. C-3 and C-4 commercial uses.
 - 2. I-1 and I-2 industrial uses.
 - b. In applying for a special permit use to be included as a part of a PUD district, the applicant shall precisely indicate the specific use, its location, area to be included, building square footage and such other information as required by the planning commission to properly and comprehensively evaluate the nature and impact of such special permit use.
 - c. Where such special permit uses are approved at the time of rezoning they shall not be subsequently changed to any other use until and unless they are changed to another use that is permitted by right, i.e. a C-1 or C-2 commercial use, or the new proposed use if not permitted by right in a PUD district is resubmitted for rezoning approval. No zoning permit for a change of use shall be issued by the planning commission for any such special permit use area or structure unless the above conditions are fully complied with.
- (5) ***Parking and off-street loading.***
- a. Off public right-of-way parking shall be provided for each use within the PUD district in accordance with section 118-178, Off-street parking requirements, of this chapter.
 - b. Off-street loading space shall be provided for each use within the PUD district in accordance with section 118-179, Off-street loading requirements, of this chapter.
- (6) ***Perimeter requirements.*** Notwithstanding any other provisions of this district, all uses of land or structures located on a lot within the PUD that are adjacent to the boundary of the PUD district or adjacent to any boundary or perimeter street right-of-way shall comply with the following:
- a. All residential uses and structures on the perimeter of this district shall meet the dimensional requirements of the district they abut.

- b. All commercial or other nonresidential uses and structures on the perimeter of this district shall meet the dimensional requirements of the C-1 commercial quiet business district.
- (7) ***Area and lot regulations.*** Uses of land and structures of the PUD district shall comply with the following:
- a. Every structure containing dwelling units shall have direct access to a public street, except for row or terrace housing, which may have access via a court, walkway or other area of common ownership that is owned and maintained by a homes association.
 - b. No minimum lot size or setbacks shall be required for structures within this district. However, not less than 40 percent of the lot area must be retained as unobstructed open space.
 - c. All unattached residential structures must be at least 12 feet in horizontal distance to any other structure.
 - d. If any structures are closer than ten feet to another structure, then an approved firewall shall be installed.
- (8) ***Residential density standards.*** The maximum number of dwelling units permitted within a PUD district is dependent upon both the type and number of each type of residential units intended to be included in the PUD district. Micro densities within certain areas of the PUD may be beyond the overall limits through a transfer of density. However, overall project densities shall not be exceeded in accordance with the following schedule:
- a. Six dwelling units per net residential acre for single-family attached and detached houses and two-family dwellings.
 - b. Twelve dwellings per net residential acre for triplexes, fourplexes and row or terrace housing.
 - c. Twenty-two dwellings per net residential acre for low-rise (three stories or less) apartments.
 - d. Thirty dwellings per net residential acre for high-rise (four stories or more) apartments.

For purposes of calculating density, net residential acres are defined as gross acres of the PUD site minus all public rights-of-way, and less the area of all parcels of lots devoted to commercial, industrial or institutional

uses not of a residential nature. Common open space that is owned and maintained by a homeowners' association shall be included in calculating the net residential acres available for all dwelling units that automatically belong to such an association. Where more than one homeowners' association is to be created, then each common open space can only be attributed to the lots or dwellings which have automatic membership for that specific common open area.

(9) ***Common open space requirements.***

- a. Common open space constitutes an essential ingredient in a planned unit development and is one of the most basic and important design elements. Open space should be distributed more or less equitably throughout the PUD district in relationship to the dwelling units and areas that are intended to be served by the common open space. Common open space is composed of one or more parcels of land that are reserved for the use and enjoyment of all or a significant portion of the PUD residents and owned and maintained in common by them, usually through a homeowners' association. However, it is permissible for all or a portion of the common open space requirements included in this section to be met through the provision of public park lands within the PUD district. In such cases, however, all lands must comply with all of the regulations included herein as to size, location usability, etc., in order to qualify as meeting the requirements of this section. Also, in such cases it shall be the responsibility of the developer to obtain written approval in advance from the appropriate public agency or body responsible for public parks as to their willingness to accept dedication of such areas as public parks.
- b. The design criteria and regulations included herein are concerned with both the quantity and the quality of the open spaces that are to be provided. All of the various requirements must be complied with as follows:
 1. ***Minimum required amount.*** A minimum of 20 percent of all the net residential acres within the PUD district shall be designated for and devoted to common open space.
 2. ***Usability of open space.*** At least 70 percent of the total common open space required must be usable. Usable, for purposes of these regulations, is defined as that portion of the total open space required that complies with each and every one of the following criteria:

- i. **Dimension.** Each and every parcel or portion of a parcel that is designated as usable shall not contain less than 10,000 square feet and not less than 60 feet in its smallest dimension. Furthermore, the overall shape should be sufficiently geometric to be functionally usable.
- ii. **Physical surface characteristics.** Bodies of water or stream beds can account for not more than 40 percent of the total required open space; provided, however, that not more than 20 percent of the required usable open space is occupied by bodies of water or stream areas. At least 70 percent of the required usable open space shall have an overall finished grade not to exceed ten percent.
- iii. **Location.** Usable open space should be distributed more or less equitably throughout the PUD district in relationship to the number and types of dwelling units intended to be served by the common open space. All lots or parcels designated for residential purposes that are part of a homeowners' association enjoying common open spaces within the PUD shall be located not more than 1,000 feet from at least one parcel of usable open space; provided, however, that for residential lots designated for single-family detached dwellings that contain at least 6,000 square feet per lot there shall be no distance requirement to the open space.
- iv. **Physical improvements allowed.** Only recreational facilities or structures and their accessory uses shall be located in any usable open space areas. Walks, driveways and similar pathways are permitted and parking facilities may be included where such parking areas are associated with and accessory to recreational facilities or structures.
- v. **Natural amenities.** Developers are encouraged to include as part of the open space such areas that have unique or unusual natural assets including heavy tree growth, ravines and natural rock outcroppings. However, not more than 30 percent of the required usable open space can be left in a natural condition where such natural condition of the area would prevent active recreational activities.

3. ***Preservation of open space.*** Adequate guarantees must be provided that the common open space areas as contained in the plan for the PUD district are preserved and maintained for those purposes only. A homeowners' association shall be required, if other arrangements satisfactory to the planning commission have not been made, for improving, operating and maintaining all such common open space areas. At the time the final plan and plat is submitted, the articles of incorporation and bylaws of the homeowners' association shall be reviewed and approved by the planning commission. Additionally, the restrictive covenants which run with the land must be submitted and include similar provisions to preserve all open space areas.
- (e) ***Procedure for obtaining PUD zoning.*** A three-step review procedure is required for obtaining PUD zoning and final approval of the final plan and plat. The first step involves a preapplication plan and conference which is designed to provide information to the local government of the developer's intention with respect to the nature and scope of the proposed PUD district and to allow the developer to be informed of the city's regulations and policies concerning development alternatives for the area. The second step involves submission of a formal application for rezoning of the area to a PUD district and simultaneous submission of a preliminary plat in accordance with the city subdivision rules and regulations. The last step involves submission of the final development plan and plat for approval and recording prior to commencing building construction. These steps are outlined below with respect to the procedure followed and submission requirements at each step:
- (1) ***Preapplication plan and conference.***
 - a. ***Procedure.***
 1. A preapplication plan shall be submitted to the city planning commission for review of the area and proposed uses relative to the compatibility of a planned unit development project with existing development in the surrounding area and the comprehensive development plan of the city.
 2. Each applicant shall confer with the director of planning, the subdivision committee of the planning commission and interested department heads in connection with the preparation of the planned unit development application. It shall be the responsibility of the planning director to

contact and invite these department heads to a joint meeting. The general outlines of the proposal, evidenced schematically by the preapplication plan and such other information as may be desired, is to be considered before submission of the planned unit development application.

3. Upon review of the site plan and general area, and following completion of the preapplication conference, the department of planning shall furnish the applicant with written comments regarding the conference, including appropriate recommendations to inform and assist the applicant prior to preparing the components of the planned unit development application.
- b. ***Submission requirements.*** At the time of requesting a preapplication conference, the applicant shall submit a site plan and such other narrative or graphic information the applicant deems pertinent to the city's initial review and evaluation of the potential of the planned unit development district proposed. The preapplication plan shall include the following:
1. Boundaries of the property involved;
 2. Existing zoning of the area and zoning of adjoining properties;
 3. Existing roadways, easements and waterways;
 4. Indication of availability of all utilities;
 5. General plan of development at a level of detail sufficient to indicate to the city the nature and scope of the project as to its magnitude in terms of approximate number and types of dwelling units, location and extent of nonresidential elements, proposed locations of major open space areas, and major circulation facilities.

(2) ***Zoning application and preliminary plat.***

- a. ***Application.*** After receiving written comments from the department of planning following the preapplication conference, the applicant may proceed in preparing a formal application for a planned unit development to the city planning commission. The application shall consist of a simultaneous submission of a preliminary plat and a rezoning application. The preliminary plat shall conform to all requirements contained in the city subdivision regulations with the exception of certain design requirements

regarding lots, setbacks, etc., that are specifically exempted or modified by the provisions of this section. The application shall be processed following the procedure for a change of zone district boundary as outlined in this chapter.

- b. ***Public hearing.*** A public hearing shall be held for a change of zoning classification. At the same meeting in which the public hearing is held, the planning commission shall consider the preliminary plat also. Upon completion of the public hearing, the granting of a planned unit development district may be recommended for approval to the city council.
- c. ***Submission requirements.*** The applicant shall simultaneously submit both a preliminary plat and a rezoning application. The preliminary plat shall be prepared in a manner as prescribed in the city subdivision regulations. To form the basis for the rezoning application, a preliminary site plan shall be submitted and it shall include at least the following information:
 - 1. The proposed title of the project and the name of any engineer, architect, land planner, landscape architect or company responsible for various elements of the plan shall be included.
 - 2. The north point, scale and date shall be included.
 - 3. The boundaries of the property involved, all existing easements, section lines and property lines, existing streets, existing buildings, watercourses, waterways or lakes, and other existing physical features in and adjoining the project shall be included.
 - 4. The location and sizes of sanitary and storm sewers, water mains, culverts and other underground structures in and adjacent to the project shall be included.
 - 5. The topography of the project area with contour intervals as determined by the planning director shall be included.
 - 6. A general land use development plan of the area shall be included indicating the location of different land uses, dwellings by types and numbers, areas designated for commercial uses and other nonresidential uses, and areas proposed for open space and recreational use. For all residential areas, the site plan shall clearly indicate the type and number of dwellings to be located per parcel, lot or block in accordance with the preliminary plat. For all

commercial or other nonresidential uses, the areas shall clearly be indicated in accordance with lots, parcels or blocks and each such parcel shall indicate the type of building proposed, number of stories and gross square footage to be included on each parcel. The boundaries of all open space areas shall be clearly indicated along with the form of proposed ownership, that is, by homeowners' association or public park or other legal entity, and, in such case where more than one homeowners' association is being created, documentation shall be clearly submitted as to which areas will have automatic membership into said associations. This requirement, however, shall not be interpreted as requiring a detailed site development plan which includes the exact boundaries and locations of all structures proposed for construction.

7. All setback lines for all properties shall be shown.
8. If the project is to be developed in more than one phase, the boundaries of each proposed phase shall be clearly indicated on the site plan map.
9. Tabulations shall be submitted of the total number of gross acres in the project, and the acres and percentages thereof, proposed to be devoted to the several dwelling types, commercial uses, other nonresidential uses, streets, parks, schools and other reservations.
10. A tabulation of the total number of dwelling units by various types in the project and the total number of net residential acres within the project shall be included, or, if the project is to be developed in phases, by each phase within the project. The tabulation shall so indicate conformance of the proposed project or each phase within the project to the residential density standards for the PUD district.
11. A tabulation of the total common open space required and the amount of common open space actually shown on the preliminary site plan shall be included. Additionally, such tabulation shall be furnished to indicate the amount of usable open space. The site plan map shall also clearly indicate those portions of the common open space that are usable in accordance with the criteria included herein.

(3) ***Final plan and plat.***

- a. Upon approval of the rezoning request by the city council, the applicant may proceed with preparation of the final plan and plat. The final plat shall meet all applicable requirements of the city subdivision regulations and shall be processed in accordance with those regulations. The final plan shall contain the same information as required in the preliminary plan. Additionally, a narrative description shall be provided of all tabulations and other documentation required on the preliminary plan. Furthermore, the applicant shall submit a written and graphic description of any modifications made to the final plan from the approved preliminary plan.
 - b. If it is determined that no changes have been made from the preliminary plan or if only minor plan changes have been made in accordance with the definition provided hereinbelow in subsection (f) of this section, then the review by the city planning commission may proceed and the plat may be submitted to the planning commission for approval. If approved, the plat shall be filed in the county recorder's office.
- (f) ***Amendments.*** Amendments may be required either to the preliminary site plan or the final development plan. The procedure governing the disposition of amendments shall be as follows:
- (1) ***Amendments to the preliminary plan.***
 - a. At the time a final plan is submitted for review, it shall be determined whether or not any amendments have been made to the approved preliminary plan. If amendments have been made then a determination shall be required as to whether or not said amendments constitute a major or minor plan change. Modifications from the previously approved preliminary plan shall be deemed to be minor plan changes if any and all modifications by the applicant of the plan do not:
 - 1. Vary the total number of dwelling units by more than five percent;
 - 2. Involve a reduction of the area set aside for common open space or the substantial relocation of such area or areas;
 - 3. Increase by more than five percent the floor area proposed for any nonresidential use; and

4. Substantially change the location of any nonresidential areas as shown on the preliminary plan.

Additionally, modifications in the location design of minor streets, culs-de-sac, alleys or facilities for water and for disposal of stormwater and sanitary sewage shall not be considered as major modifications.

- b. Notwithstanding anything in the foregoing, the planning commission may not permit changes beyond the maximum or minimum requirements set forth in this section.
- c. All other changes in the planned unit, including changes in the site plan and the development schedule, must be made under the procedures that are applicable to the initial approval of a planned unit.

- (2) ***Amendments to final development plan.*** The final development plan as submitted and approved may be amended in accordance with the following procedure. Minor changes may be authorized by the planning director, if required by engineering or other circumstances not foreseen at the time the final development program was approved. No change authorized by the planning director under this section, however, may either increase the total area devoted to any and all nonresidential uses, or decrease the amount of area devoted to common open space, or increase the total number of dwelling units located on any lot, block or parcel as approved in the final development plan. Notwithstanding any of these conditions, the planning director may not permit changes beyond the minimum or maximum requirements set forth in this section. All other changes in the planned unit, including changes in the site plan or the development schedule, must be made under the procedures that are applicable to the initial approval of a planned unit development.

(g) ***Administration and enforcement.***

- (1) ***Review standards.*** The department of planning shall investigate and ascertain that the plans for a planned unit development meet the following conditions:
 - a. That the tract of land for the entire project comprises not less than three acres.
 - b. That the project is in conformity with the requirements and standards of development of the planned unit development district and is consistent with the intent and purpose of this section.

- c. That the proposed project constitutes an environment of sustained desirability and stability and that it is in harmony with the character of the surrounding neighborhood.
 - d. That the property adjacent to the proposed development will not be adversely affected.
- (2) ***Recorded plat and plot plan required.*** The proposed development shall follow all applicable procedures, standards, regulations and laws governing the subdivision of land. No zoning certificate for any structure shall be issued until a final plat of the proposed development or part thereof is approved and recorded and an approved plat plan has been submitted in accordance with section 118-38(d) of this chapter.
- (3) ***Phasing and development schedule.***
- a. The applicant is permitted to construct the planned unit development in more than one phase or stage of construction. In such cases, the applicant shall clearly indicate on the site plan map the boundaries of each proposed phase. If the sequence of construction of various portions of the development is to occur in phases or stages, then the open space and/or recreational facilities must be developed or committed thereto in proportion to the number of dwelling units intended to be developed during any given stage of construction as approved by the planning commission. Compliance with this provision, however, will be calculated in a cumulative manner, i.e., the open space required in any successive phase of development shall equal or exceed the requirement of the total number of units constructed through all phases.
 - b. Additionally, the applicant shall submit a schedule of construction for the project or for each phase within the project indicating the sequence of development according to residential type and other nonresidential construction within the project. Upon adoption of the schedule of construction, the building inspector shall be responsible for enforcing this schedule. If he determines that the rate of construction of residential units or nonresidential structures differs from the construction schedule, he shall so notify the developer in writing; thereafter the building inspector may issue such orders to the developer as he sees fit, and upon continued violation of this subsection may suspend the developer from further construction of dwelling units or nonresidential structures until compliance is achieved.

- (4) ***Guarantee of completion.*** Before approval of the final development plan, the planning commission shall require a contract with safeguards satisfactory to the commission guaranteeing completion of the development plan for any single phase in a period to be specified by the commission, but which period shall not exceed five years unless extended by the commission.

(Ord. No. 3171, § 702.1-7, 3-26-62; Ord. No. 4543, § 1, 8-11-75; Ord. No. 4558, §§ 1, 2, 9-22-75; Ord. No. 4616, § 1, 2-27-76)

Sec. 118-149. O-1 Open Lands District.

- (a) **Description of district.** The O-1 open lands district is composed of certain large open areas, land publicly owned and land suitable for the location of public buildings and certain public facilities. The regulations of this district are designed to retain the open character and settings desirable for public facilities and certain other compatible uses.
- (b) **Limitation of external uses.** Within not more than two years from the date on which the following provisions become effective, every use shall be made to comply with the limitation of external uses listed in the general provisions (section 118-28).
- (c) **Permitted structures.** Each lot shall have at least one front property line and shall be occupied by only one principal structure which may be a public building or facility, except that where the use is for a public park, a public recreational center, a public playground, an airport, or a port or harbor, or other similar facilities, as determined by the commission, several structures may be placed within the land area reserved for such public uses, provided that they are located in accordance with a development plan submitted to and approved by the commission in the manner prescribed under this chapter, and further provided that in these areas residences may be permitted provided that they are limited to those required by caretakers, police and similar personnel required to be present on the lands to provide protection and to safeguard the property.
- (d) **Permitted uses.** In the O-1 district only those uses specified under O-1 in the list of permitted uses, section 118-1 of these regulations, will be permitted.
- (e) **Uses by temporary permit.** Upon application to and issuance by the planning commission of a permit therefor, the following uses may be operated as uses by temporary permit:
 - (1) Bazaar, carnival and/or circus; provided, however, that each permit shall be valid for a period of not more than three days and shall not be renewed for more than three successive periods; and provided, further, that a period of at least 90 days shall intervene between the termination of one permit and the issuance of another permit for the same location.
 - (2) A newspaper distribution station operated in accordance with all of the following standards: shall be maintained in a sightly condition with all papers, waste wrappers and newspapers stored, handled and distributed within a completely enclosed structure until removed from the premises, shall provide adequate on-the-premises storage for bicycles and shall prohibit unnecessary loitering on or about the premises; provided, however, that each permit shall be valid for a period of not more than one

calendar year but may be renewed; and provided, further, that a failure to comply with any of the standards herein set forth shall be cause for revocation of any permit.

- (3) Noncommercial concrete batching plant, both incidental and necessary to construction in the district; provided, however, that each permit shall be valid for a period of not more than six calendar months and shall not be renewed for more than three successive periods at the same location.
 - (4) Parking lot designated for a special event; provided, however, that each permit shall be valid only for the duration of the designated special event; and provided, further, that if the designated special event is a seasonal activity the permit may be valid for the entire season but shall be restricted in use to designated dates and times during which the event is occurring.
 - (5) Sale at retail of Christmas trees and wreaths; provided, however, that no permit shall be effective prior to November 15 in each calendar year and no permit shall be valid for a period of more than 45 days.
 - (6) Temporary building or yard for construction materials and equipment, both incidental and necessary to construction in the district; provided, however, that each permit shall be valid for a period of not more than six calendar months and shall not be renewed for more than four successive periods at the same location.
 - (7) Temporary office, both incidental and necessary for the sale or rental of real property in the district; provided, however, that each permit shall be valid for a period of not more than six calendar months and shall not be renewed for more than four successive periods at the same location.
- (f) ***Dimensional requirements.*** The lot for the O-1 district shall comply with the following dimensional and area requirements:
- (1) ***Lot area.*** The lot area shall be not less than 175,000 square feet of which 60 percent shall be retained as unobstructed open space; provided, however, that this open space may be used for parking and landscaping areas, and recreational purposes.
 - (2) ***Minimum front yard.*** All structures shall be set back a distance of not less than 40 feet from each front property line, or as required in other ordinances, whichever is the greater; provided, however, that, where the height of any building exceeds 45 feet as permitted under these district regulations, the front yard setback shall be increased one foot for each increment of five feet of increased structure height above 45 feet up to the maximum permitted height.

- (3) **Minimum side yards.** There shall be two side yards to each lot; the minimum required side yard width shall be not less than ten percent of the lot width at the front building line but in no case shall it be less than 15 feet, except that any side yard abutting a street shall be at least 20 feet, unless under the master street plan, as existing or amended, or other ordinances a greater setback is required for the purpose of street widening or for other reasons.
- (4) **Minimum rear yard.** There shall be a rear yard having a depth of not less than 25 feet; provided that where the rear lot line abuts an alley and the property on the other side of the alley is not within a residential zone, then the minimum rear yard requirement shall be a depth of not less than 15 feet. Where the rear lot line abuts onto a street the rear building line shall be the building setback line established for that street.
- (5) **Maximum height.** No building hereafter erected or structurally altered shall exceed 60 feet in height, provided, however, that cooling towers, elevator shafts, control towers and other structural units necessary for the functioning of the use shall be permitted to exceed this height, provided that no building shall exceed a height of 90 feet and further provided that the provisions of the yard requirements are met.
- (6) **Location of accessory buildings.** No accessory building shall be located on any required front or side yard, or within 20 feet of any street, or within five feet of any lot line, that is not a street line, except where an alley abuts the rear line of the lot detached accessory buildings not opening directly into the alley and fixtures for the disposal of trash and garbage may be set on the rear lot line, provided, however that in no case will a trash burner be located closer than ten feet to the line of any adjacent or abutting property. Accessory structures having access to the alley shall be set back five feet from the rear lot line. Fences up to 60 inches in height may be erected along any boundary line of the side yards or rear yard from the front building line to the rear lot line and along the rear lot line, except where the rear lot line abuts a street, and such fences shall not be deemed structures for the purpose of this section.
- (7) **Screens.** All O-1 uses shall provide a screen between abutting residential or C-1 business areas, so as to protect these areas by day and by night from unreasonable disturbance by movement of people or vehicles and from light, noises or exposure to views not compatible with these areas. Such screens shall be pleasing in design, and of a substantial material, easily maintained.
- (g) **Off-street parking.** The provisions of section 118-178, Off-street parking requirements, shall be in full force and effect in the O-1 district.

- (h) ***Off-street loading requirements.*** The provisions of section 118-179, Off-street loading requirements, shall be in full force and effect in this district.
- (i) ***Corner visibility.*** On a corner lot, within the areas formed by the right-of-way lines of intersecting streets and a line joining points on such right-of-way lines at a distance of 25 feet from their intersection, there shall be no obstruction to vision between a height of two feet and a height of ten feet above the average grade of each street at the centerline thereof, except that street name signs, fire hydrants, street lighting poles and associated appurtenances thereto shall be permitted within this area.
- (j) ***Planned building groups.*** The provisions of section 118-180, Planned building groups, shall be in full force and effect in the O-1 district.

(Ord. No. 3171, § 702.5, 3-26-62)

O-1 Allowed Uses

Academy, Riding	Circus Grounds
Air Express Service	Coliseum, City
Airline Companies Office	College, Private
Airplane Beacons	College, Public
Airplane Markers	Commissary Contractors
Airplane Repair and Storage	Community Centers
Airplane Sales and Display	Consulates
Airplane Ground Schools	Country Clubs
Airplane Part Sales	County Buildings
Airports Private	Crematories
Airports Public	Delivery Service Office
Amphitheater Commercial	Detention Home
Amphitheater Municipal	Dispensary, Public
Amusement Parks	Disposal Plants (Sewer)
Animal Boarding	Dock Public
Aquarium Including, But Not Restricted To Sal	Dog Pound
Armory	Dormitory Buildings (Institutional)
Army and Navy Installations	Driving Range, Golf
Arsenal, Government Property	Dumps
Art Museum, Municipal	Eleemosynary Building, Public
Art Museum, Private	Exhibition Buildings Public
Art School Institute (Public)	Fallout Shelter
Assembly Halls	Federal Offices
Asylums Private	Fire Station
Asylums Public	Forest Land
Athletic Clubs	Game Preserves
Athletic Fields, City Property	Golf Clubs, Private
Athletic Fields, Private Property	Golf Course, Public
Auditorium, Private Institutional	Golf Practice Driving Range
Auditorium, Public	Government Buildings
Automobiles Rentals (Garage)	Halls, Assembly Institutional
Ball Field	Halls, Public
Ball Parks (Commercial)	Health Center, Charitable Or Institutional
Band Shell	Health Center, Public
Barge, Terminal Public	Heliport
Baseball Park, Private	Homes, Children's Public
Baseball Park, Public	Homes, Children's, Charitable Institutional
Baths, Mineral Springs	Homes, Old Age, Charitable Institutional
Baths, Public	Homes, Old Age, Public
Beach Private Commercial	Hospitals, Private
Beach Public	Hospitals, Public
Bible Institute	House Of Corrections
Blood Banks	Ice Skating Rink
Boardwalk, Amusement, Commercial	Industrial School, General Instruction Correct
Botanical Gardens	Infirmary, Private
Buildings, Office	Infirmary, Public
Cemeteries	Insane Asylum
Cesspool Buildings and Service Equipment Yard	Institute (Bible)

City of North Little Rock, Arkansas

Institutional Buildings	Post Office
Jails, City	Prison (City Only) and Penitentiary
Kennels	Public Storage Garages
Libraries, Institutional, Religious	Racetrack
Libraries, Private, Rental	Refuse Dump
Libraries, Public	Reservoirs
Lighting and Power Plants	Rest Homes, Private
Lodge Halls	Riding Academies
Mausoleums	Sanitariums, Private
Medical Clinics, Private Institutional	Sanitariums, Public
Medical Clinics, Public	Schools, Art Institute
Memorial Home Parks, (Cemeteries)	Schools, Correctional (Penal)
Museums	Schools, Music Institutes
Musical Institutes and Foundations Noncommercial	Schools, Parochial
Naval Supplies, Sales, Army Or Navy (Not S	Schools, Private, Academic
Nursing Homes	Slot Car Racing Establishments
Old People's Home, Private	Social Centers
Old People's Home, Public	Soft Drink Stand
Opera House, Civic building	Sorority Houses
Opera House, Private Corp.	Stadium
Orphan Asylum, Private	State Office Building
Orphan Asylum, Public	Swimming pools, Commercial
Outdoor Theaters, Public	Taxicab Stands
Parking Lots, Commercial	Tennis Courts, Public
Parks, Amusement, Private	Tennis Courts, Private Rental
Parks, Public	Tent Show Area
Playgrounds, Public	United States Government Offices
Police Station	Wharf, Public
Pool - Swimming, Private, Commercial	Zoological Gardens, Public
Pool - Swimming, Public	Zoos, Private Commercial
Popcorn, Dispensing Popped	

Sec. 118-150. Floodprone district.

- (a) ***Description of district.*** The floodprone district is composed of lands which have high water tables, have improper drainage, or are subject to periodic overflow. The district is established to protect the public health and to reduce the financial burdens imposed on the community, its governmental units and individuals, which may result from the improper use of such lands. The boundaries of these lands are established by the planning commission based on data received from the city engineer, the U.S. Army Corps of Engineers, and the Soil Conservation Service. In this district, it is felt that the problems of water table, improper drainage and periodic overflow can be solved through natural or manmade improvements, and that once these changes have been made and it can be demonstrated beyond doubt that the condition no longer exists, and that all drainage, sewer and other utility lines will operate efficiently under all conditions, and that all structures erected thereon will comply with all provisions of the building or other codes, then the district may be reclassified. Such determination and reclassification shall be made by the planning commission in consultation with the city engineer and such other agencies as may be interested in the reclassification of the said lands and the improvements proposed thereon, and shall be subject to the amending procedures set forth in this chapter. In order to assist in the development of the overall plan for the city and to encourage the proper use of land, the commission may establish the type of district for which the lands shall be deemed suitable upon correction of the basic problem, and such floodprone designation shall be followed by the designation of the appropriate district. This designation shall not give the right to develop such lands for the use, but shall only be a guide to the owner and the commission on the most appropriate use for the reclaimed land.
- (b) ***Limitation of external effects of uses.*** Within not more than two years from the date on which this chapter is passed, every use shall be made to comply with the limitation of external uses outlined in the general regulations (section 118-28).
- (c) ***Permitted structures.*** No structures shall be permitted in the floodprone district except those used in the operation of the permitted uses, and further providing that these structures do not cover more than five percent of the total lot area. In no case will a residential structure be permitted.
- (d) ***Permitted uses.*** In the floodprone district only those uses specified under "Floodprone" in the list of permitted uses, section 118-1 of these regulations, will be permitted.
- (e) ***Uses by temporary permit.*** Upon application to and issuance by the planning commission of a permit therefor, the following uses may be operated as uses by temporary permit:

- (1) Bazaar, carnival and/or circus; provided, however, that each permit shall be valid for a period of not more than three days and shall not be renewed for more than three successive periods; and provided, further, that a period of at least 90 days shall intervene between the termination of one permit and the issuance of another permit for the same location.
- (2) A newspaper distribution station operated in accordance with all of the following standards: shall be maintained in a sightly condition with all papers, waste wrappers and newspapers stored, handled and distributed within a completely enclosed structure until removed from the premises, shall provide adequate on-the-premises storage for bicycles and shall prohibit unnecessary loitering on or about the premises; provided, however, that each permit shall be valid for a period of not more than one calendar year but may be renewed; and provided, further, that a failure to comply with any of the standards herein set forth shall be cause for revocation of any permit.
- (3) Noncommercial concrete batching plant, both incidental and necessary to construction in the district; provided, however, that each permit shall be valid for a period of not more than six calendar months and shall not be renewed for more than three successive periods at the same location.
- (4) Parking lot designated for a special event; provided, however, that each permit shall be valid only for the duration of the designated special event; and provided, further, that if the designated special event is a seasonal activity the permit may be valid for the entire season, but shall be restricted in the use to designated dates and times during which the event is occurring.
- (5) Sale at retail of Christmas trees and wreaths; provided, however, that no permit shall be effective prior to November 15 in each calendar year and no permit shall be valid for a period of more than 45 days.
- (6) Temporary building or yard for construction materials and/or equipment, both incidental and necessary to construction in the district; provided, however, that each permit shall be valid for a period of not more than six calendar months and shall not be renewed for more than four successive periods at the same location.
- (7) Temporary office, both incidental and necessary for the sale or rental of real property in the district; provided, however, that each permit shall be valid for a period of not more than six calendar months and shall not be renewed for more than four successive periods at the same location.

- (f) ***Structure setback.*** All structures must be set back at least 30 feet from all street right-of-way lines, or as required under other ordinances, whichever is the greater.
- (g) ***Corner visibility.*** On a corner lot, within the areas formed by the right-of-way lines of intersecting streets and a line joining points on such right-of-way lines at a distance of 25 feet from their intersection, there shall be no obstruction to vision between a height of two feet and a height of ten feet above the average grade of each street at the centerline thereof, except that street name signs, fire hydrants, street lighting poles and associated appurtenances thereto shall be permitted within this area.

(Ord. No. 3171, § 702.6, 3-26-62; Ord. No. 5560, § 1, 8-22-83)

Conservation Allowed Uses

Academy, Riding	Fairgrounds
Airplane Beacons	Farmlands
Airplane Markers	Farmlands, Apiary
Airports Private	Farmlands, Crop Field and Truck
Airports Public	Dairy
Amphitheater Commercial	Dairy, Livestock
Amphitheater Municipal	Dairy, Nurseries
Amusement Parks	Dairy, Poultry
Animal Boarding	Ferry Docks, Passenger
Animal Breeding Commercial	Ferry Docks, Railroad
Animal Hospitals	Fertilizer, Natural Storage
Apiary (Bees)	Fish Hatchery, State
Athletic Fields, City Property	Florist Greenhouses and Nurseries
Athletic Fields, Private Property	Forest Land
Ball Parks (Commercial)	Freight Depot
Ball Field	Game Preserves
Band Shell	Gas wells, Natural
Barge, Gasoline, Rental Sales	Golf, Miniature
Baseball Park, Private	Golf Clubs, Private
Baseball Park, Public	Golf Clubs, Public
Beach Private Commercial	Golf Practice Driving Range
Beach Public	Government Buildings
Boardwalk, Amusement, Commercial	Gravel Pits
Boat, Pleasure, Storage	Greenhouses (Commercial)
Boat Club	Hatcheries
Botanical Gardens	Hay and Straw, Sales, Storage
Broadcasting Station	Heliport
Cattle Shed	Horse, Dog and Cat Hospital
Charcoal manufacturing and Pulverizing	Kennels
Chicken Farm	Lighthouse
Circus Grounds	Livery Stables
City Buildings	Metals, Extraction (Mining)
Coal And Coke Yards	Mining
Coal Mining	Oil Wells
Comfort stations	Outdoor Theaters, Commercial
Conservatory, Commercial Botanical	Outdoor Theaters, Public
Country Clubs	Parks, Amusement, Private
County Buildings	Parks, Public
Crop Dusting Equipment Yards	Pigeon Raising
Dairy Farm	Playgrounds, Public
Disposal Plants (Sewage)	Poultry Raising
Dock Amusement Pier	Quarries
Dock Private Shipping Computer	Racetrack
Dock Public	Radio, Broadcasting Stations
Dog Pound	Ranches, Cattle, Sheep
Drive - In Theaters	Ranches, Guest
Driving Range, Golf	Refuse Dump
Dumps	Reservoirs
Egg, Poultry Farms	Riding Academies

City of North Little Rock, Arkansas

Rock Crushing	Tennis Courts, Public
Sand and Gravel Extraction	Tent Show Area
Sand and Gravel Processing and Storing	United States Government Offices
Sewage Disposal Systems, Private	Vegetable Market, Wholesale
Sewage Disposal Systems, Public	Veterinarians, Clinics
Ship Storage Yard	Wharf, Amusement Pier
Shipping Company Docks	Wharf, Private Shipping Company
Slag Pile	Wharf, Public
Slate Quarry	Yacht Club, Private
Stables	Yacht Club, Public Facilities
Stock Yards (Livestock)	Zoological Gardens, Public
Stone Quarry	Zoos, Private Commercial
Tennis Courts, Private Rental	

Sec 118-151. GREENBELT AND WETLAND CONSERVATION DISTRICT

Description of district. The district is composed of lands that are to be retained in a natural state, being either forest or designated wetlands with very limited active permissible uses. The purpose for designating green belt and wetland conservation zones is reserving wooded or wetland areas to lessen the intensity of urban development and protect natural resources. Green belt and conservation districts provide expanded buffer areas and separating uses reduce development stress in the urban environment, as well as providing space for wildlife habitat and nature trails. Wetlands provide an important flood management tool as well as filtering urban storm water runoff. Designating known wetlands serves the National goal of no net loss wetlands and hopefully reduces the financial burdens on the community by avoiding improper development practices. The boundaries of these green belts and wetlands are established by the planning commission based on data received from private individuals, the corps of engineers U.S. Army, and the soil conservation service. Wetlands are areas of periodic flooding is caused by a combination of elevation, a high water table, soil types and also the presence of aquatic life. While the wetland condition can be eliminated by filling, such action is restricted by federal regulation. Lands approved for removal from the wetland condition are by formal permit with the U.S. Corp of Engineers followed by a local reclassification through the established rezoning procedure. In that green belt and wetland conservation districts have very limited economic use it is important that lands so designated be either voluntarily or by federal government action. Most local regulation must retain some economic use without being considered a "taking" and subject to compensation. In order to assist in the development of the overall plan for the city and to encourage the proper use of land, the City Council may establish the type of district for which the lands shall be deemed suitable. Areas to be designated as green belt or wetlands shall be designated 'GB/W'.

Limitations of external effects of uses. Within not more than two (2) years from the date on which this ordinance is passed, every use shall be made to comply with the limitation of external uses outlined in the general regulations (701.2).

Permitted structures. No structures shall be permitted in the GB/W district except those used in the operation of the permitted uses, and further providing that these structures do not cover more than one (1) percent of the total lot area. In no case will a residential structure be permitted.

Permitted uses. In the GB/W district only those uses specified listed under the GB/W designation will be permitted. The list of permitted uses include: lands retained in a

natural state either forest or water bodies, nature trails, fishing piers, wildlife feeding and nesting structures, and forestry maintenance.

Uses by temporary permit. Upon application to and issuance by the planning commission of a permit therefor, the following uses may be operated as uses by temporary permit: *(None listed to date).*

Structure setback. Principal structures are not allowed in GB/W zones. The Board of Adjustment shall consider all requests for accessory structures within designated GB/W zones.

Secs. 118-152--118-177. Reserved.

Green Belt & Conservation Allowed Uses

Lands retained in a natural state either forest or
water bodies

Nature trails

Fishing Piers

Wildlife feeding and nesting structures

Forestry maintenance

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ARTICLE I. SUPPLEMENTAL REGULATIONS

Sec. 118-178. Off-street Parking Requirements.

- (a) ***Scope of requirements.*** The requirements herein set forth shall apply and govern in all districts except the C-5 (downtown) district, in which district these regulations shall be of no force and effect, unless otherwise mentioned herein.
- (b) ***Duty to provide and maintain off-street parking space; existing uses.*** The duty to provide and maintain the off-street parking space herein required shall be the joint and several responsibility of the operator and owner of the use and the operator and owner of the land on which, or the structure or structures in which, is located the use or uses for which off-street parking space is required to be provided and maintained. No land shall be used or occupied, no structure shall be designed, erected, altered, used or occupied and no use shall be operated unless the off-street parking space herein required is provided in at least the amount specified and maintained in the manner herein set forth; provided, however, that where off-street parking space is not provided or maintained for land, structures or uses actually used, occupied and operated on March 26, 1962, it shall not be required under this chapter. From March 26, 1962, if such land, structures or uses are enlarged, expanded or changed there shall be provided, for the increment only of such land, structures and uses enlarged expanded or changed and maintained as herein required, at least the amount of off-street parking space that would be required hereunder if the increment were a separate land, structure or use. However, where a lot with an existing structure is cleared and a new structure is erected thereon, there shall be provided and maintained off-street parking space as required herein.
- (c) ***Location of off-street parking space.*** Off-street parking space shall be located on the same lot as the use for which provided and may be composed of one or several separated parcels, unless otherwise provided for herein.
- (d) ***Separate or combined space.*** Separate off-street parking space shall be provided for each use or the parking space required of two or more uses located on the same lot may be combined and used jointly; provided, however:
 - (1) Where off-street parking space is combined and used jointly by two or more uses having different standards for determining the amount of off-street parking space required, the parking space shall be adequate in area to provide the sum total of off-street parking space requirements of all such uses.
 - (2) Where off-street parking space is combined and used jointly by two or more uses having the same standard for determining the amount of off-street parking space required, all of such uses, for the purpose of this section, shall be considered a single unit and the gross floor area of all such uses in all structures on the same lot or the number of employees of all such uses in all structures on the same lot, as fixed by the applicable standard, shall be taken as a single total for the purpose of determining the amount of off-street parking space required.

- (e) ***Amount of off-street parking space required.*** At least the following amounts of off-street parking space shall be provided, plus an area or means adequate for ingress and egress which shall not be included in the computation of the parking area, except single-family residences may utilize the areas of ingress and egress up to and equaling 50 percent of the required parking area in computation of the total parking area. The following classifications of uses shall be deemed to include and apply to all uses, and if for any reason the classification of any use for the purpose of determining the amount of off-street parking space to be provided by such use is not readily determinable hereunder the classification of the use shall be fixed by the planning commission.
- (1) ***Parking type I.*** Single-family residence: One space when less than 1,200 square feet, two spaces when greater than 1,200 square feet.
- (2) ***Parking type II.***
- a. ***Residential uses.***
1. Two-family dwelling: 1.5 spaces per unit.
 2. Roominghouses, dormitories, fraternities and similar establishments: one space per sleeping accommodation.
 3. Hotels and motels: One space per guestroom, plus an additional ten percent of the total of all parking spaces required for developments larger than 20 rooms for employees and non-guest users patronizing meeting rooms, restaurants and other facilities.
 4. Multifamily: 1.5 spaces per unit.
 5. Mobile home: Two per mobile home space.
 6. Mobile home park community building: One per ten mobile home spaces.
 7. Mobile home park visitor parking: One per five mobile home spaces located no further than 400 feet from the mobile home spaces to be served.
- b. ***Schools and institutions.***
1. Elementary: One per employee. Stacking space for dropoff and pickup shall be required on the site.
 2. Secondary (grades 7--12): Six spaces per classroom. Stacking space for buses and autos shall be required on the site.

3. Libraries: Ten, plus one for each 200 square feet over 1,000.

(3) ***Parking type III.***

- a. ***Residential uses.*** Elderly housing: 0.5 spaces per unit.
- b. ***Office and institutional.***
 1. Churches: For the seating capacity in the principal room or hall, one for each five seats; in C-5 commercial districts, one for each ten seats.
 2. Lodge halls, exhibition halls, clubs (and similar places of public assembly): One space per 100 square feet of gross floor area if without fixed seats, and one for each five seats if with fixed seats.
 3. Public tennis courts and private tennis clubs: Two per court, plus one for each 200 square feet of clubhouse floor area in excess of 1,000 square feet.

(4) ***Parking type IV.***

- a. ***Office and institutional.***
 1. Hospitals, general: One per 1.5 beds.
 2. Hospitals, extended care: One per two beds.
 3. Hospitals, convalescent (or nursing home): One per five beds.
- b. ***Schools and institutions.*** Nursery, kindergarten and day care centers: One space per employee plus on-site loading and unloading spaces to be required at a rate of one for each ten children accommodated.
- c. ***Commercial uses.*** Restaurants (and similar establishments serving food and beverages): One space for each 100 square feet of gross floor area.
- d. ***Entertainment and recreation.***
 1. Theaters, auditoriums and sports arenas or stadia, including school auditoriums and stadia: For all fixed seating capacity, one for each four seats; theaters in shopping center, one per 8.5 seats.

2. Dancehalls and exhibition halls, without fixed seats for floor area devoted to public assembly or activity: One for each 100 square feet of floor area devoted to the principal activity.
3. Billiard and pool rooms: Two per table.
4. Bowling alleys: Three for each alley except when in a shopping center which includes a supermarket, when it shall be two per alley.
5. Golf courses: Four per hole, plus required spaces for restaurants and cocktail lounges.
6. Health spas and gymnasia: Ten plus one for each 200 square feet of floor area in excess of 1,000.
7. Public swimming pools and private swim clubs: 20 per pool (not including wading pools or whirlpool baths), plus one for each 200 square feet of cabana floor area in excess of 1,000 square feet, except, where membership is restricted to the immediate neighborhood, a minimum of five parking spaces shall be provided.
8. Skating rinks: One for each 200 square feet of floor area devoted to the principal activity.

(5) ***Parking type V. Office and institutional:***

- a. Finance, savings and loan institutions, insurance, real estate, business, professional and other offices (except those otherwise designated herein): Zero to 20,000 square feet of floor area, one for each 300 square feet of floor area, plus one for each 500 square feet of floor area in excess of 20,000 square feet.
- b. Banks (commercial): One for each 200 square feet.
- c. Medical and dental offices and clinics: One for each 200 square feet of floor area.
- d. Veterinarians, animal and veterinary hospitals: One for each 250 square feet of floor area exclusive of boarding areas.
- e. College or university: One per three student classroom seats.
- f. Trade, vocational and business school, not otherwise listed: One per employee, plus one per three student classroom seats.

- g. Dance schools other than ballrooms: Five, plus one for each 150 square feet of dance floor area over 500 square feet.
- h. Beauty culture schools: Three, plus one for each operator station.
- i. Drive-in commercial facilities (banks, restaurants and similar uses): Shall provide not less than three holding or stacking spaces for each service window.

(6) ***Parking type VI.***

a. ***Trade.***

- 1. Retail stores and personal services not listed elsewhere: Zero to 3,000 square feet of floor area, five; 3,000 to 5,000 square feet of floor area, five, plus one for each 500 square feet of floor area in excess of 3,000 square feet; in excess of 5,000 square feet of floor area, ten, plus one for each 250 square feet of floor area in excess of 5,000 square feet.
- 2. Retail furniture and appliance stores, retail machinery and equipment sales, motor vehicle sales: Area devoted to retail, office, service or display of goods, five, plus one for each 800 square feet of floor area in excess of 3,000 square feet.
- 3. Building materials sales where lumber is sold: Ten, plus one for each 120 square feet of sales area devoted to hardware and paint items in excess of 1,000 square feet, and one per 750 square feet of warehouse area open to the public.
- 4. Service stations: A minimum of five, of which at least one must be large enough to accommodate a towing vehicle.
- 5. Drive-in restaurants: A minimum of 25.
- 6. Agricultural and commercial nurseries: Ten, plus one for each 150 square feet of inside sales area over 1,000 square feet, and one per 2,000 square feet of outside area open to the public.

b. ***Personal services.***

- 1. Self-service laundry and dry cleaning: One for each three machines.

2. Dry cleaning, pickup: Three, plus one for each 500 square feet over 1,000.
3. Repair services, wearing apparel, motor vehicles, appliance and furniture: Five, plus one for each 800 square feet of floor area in excess of 3,000 square feet.
4. Barbershops, beauty shops and similar uses: One space for each 200 square feet of gross building area.
5. Food stores, supermarkets and convenience type grocery stores: Four spaces plus one space for each 300 square feet of gross floor area, exclusive of storage area.

(7) ***Parking type VII.***

a. ***Manufacturing uses.***

1. Manufacturing, steel fabricating, warehousing and similar uses: One for each 200 square feet of office area and one space per 2,000 square feet of gross floor area up to 50,000 square feet, then, in addition to the above requirement, one space per 10,000 square feet above 50,000 square feet or portion thereof.
2. Corporation yard: Three, plus one for each 20,000 square feet of yard area over 40,000.

b. Laboratories, when a primary use: Four, plus one for each 300 square feet in excess of 1,000 square feet.

c. Carwashes: 2.5 for each wash bay.

(8) ***Parking type VIII. Wholesale trade:***

One for each 250 square feet of office area, and one space per 2,000 square feet of gross floor area up to 50,000 square feet, then, in addition to the above requirement, one space per 10,000 square feet above 50,000 square feet or portion thereof.

(9) ***Additional parking requirements.***

- a. ***Central business district.*** The number of off-street parking spaces for uses in the central business district, except for shopping centers, may be reduced by ten percent from the requirements specified in this section which would otherwise be applicable.
- b. ***Shopping centers.*** One space shall be provided for each 250 square feet of gross leasable area exclusive of bowling alleys, movie theaters and skating rinks.

(f) ***Location separated from use; sharing of same off-street parking space.***

- (1) ***Purpose of approval procedure.*** Under the standard provisions of this chapter off-street parking space is required to be located on the same lot as the use for which the space is provided. Also, each use is required to provide an individual amount of space. Pursuant to the procedure hereinafter set forth, either part or all of required off-street parking space may be located off the lot of the use for which the space is provided. Also, two or more uses may share the same off-street parking space and each of such uses may be considered as having provided such shared space individually.

(2) ***Limitations on approval procedure.***

- a. ***Location separated from use.*** In the R-1, R-2, R-3, R-4 and R-6 districts, off-street parking space for residential uses shall be located no farther from the lot of the use for which provided than on a land area adjacent to such lot. In all other districts off-street parking space shall be located no farther from the lot of the use for which provided than 600 feet unless otherwise specified herein, such distance to be measured by a straight line from the nearest point of the separated off-street parking space.
 - b. ***Sharing of same off-street parking space.*** No use shall be considered as individually having provided off-street parking space which is shared with one or more uses unless the schedules of operation of all such uses are such that none of the uses sharing the space require the off-street parking space at the same time as any other use sharing the space.
- (3) ***Submission and contents of applications for approval.*** All applications for approval of a special plan hereunder shall be filed with the planning commission by the owner or owners of the entire land area to be included within the special plan, the owner or owners of all structures then existing on said land area and all encumbrancers of said land area and structures; shall contain sufficient evidence to establish to the satisfaction of the commission that the applicants are the owners and encumbrancers of the designated land and structures; shall contain such information and representations required by this chapter or deemed

necessary by the commission and shall include plans showing the following details:

- a. The location of the uses or structures for which off-street parking space is required.
 - b. The location at which the off-street parking space is to be located.
 - c. A complete plan of the parking area showing parking spaces, driving lanes, access and egress locations and landscaped areas.
- (4) ***Review of applications for approval.*** All applications hereunder shall be reviewed by the planning commission and either approved or disapproved within a period of 45 days from the date of submission. Any approval hereunder may establish necessary conditions and limitations.
- (5) ***Approved plan to be registered and recorded.*** Upon approval of a special plan hereunder, a copy of such plan shall be registered among the records of the planning commission. An as-built copy of such plan shall be also registered with the planning commission and a copy of such plan, or such other records thereof as deemed proper by the commission, shall be recorded by the owners in the office of the county recorder.
- (6) ***Effect of registered and recorded special plans.*** All special plans registered and recorded hereunder shall be binding upon the applicants for such special plans, their successors and assigns, shall limit and control the issuance and validity of all zoning permits and shall restrict and limit the use and operation of all land and structures included within such special plans to all conditions and limitations specified in such plans and the approvals thereof.
- (7) ***Amendment of registered and recorded special plans.*** All special plans registered and recorded hereunder may be amended pursuant to the same procedure and subject to the same limitations and requirements by which such plans were approved, registered and recorded.
- (8) ***Withdrawal of registered and recorded special plans.*** Upon application to the planning commission by the owner or owners of the entire land area included within any special plan registered and recorded hereunder, the owner or owners of any structures then existing thereon and all encumbrancers of said land and structures, any such plan may be withdrawn, either partially or completely, from registration and released from recording if all uses, land and structures remaining under such plan can be made to comply with all conditions and limitations of the plan and all uses, land and structures withdrawn from such plan can be made to comply with all regulations established by this chapter and unrelated to any special plan. Upon approval of an application hereunder, the planning

commission shall register among its records and the owner shall record in the office of the county recorder an appropriate certificate of such withdrawal.

(Ord. No. 3171, § 801, 3-26-62; Ord. No. 3778, § 1, 11-10-69; Ord. No. 5524, § 1, 5-23-83)

State law reference(s)--Authority to require off-street parking, A.C.A. § 14-56-416(a)(2)(B).

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Sec. 118-179. Off-street Loading Requirements.

- (a) ***Scope of regulations.*** The regulations herein set forth shall apply and govern in all districts; provided, however, that in the R-O, R-1, R-2, R-3, R-4, R-5, R-6 and C-1 districts these regulations shall apply and govern only those structures in which are operated a use or uses, which use or uses, pursuant to the provisions of section 118-178, Off-street parking requirements, are required to provide and maintain more than 800 square feet of off-street parking space.
- (b) ***Duty to provide off-street loading space; existing uses.*** The duty to provide the off-street loading space herein required shall be the joint and several responsibility of the operator and owner of the structure or structures for which off-street loading space is required to be provided. No structure shall be designed, erected, altered, used or occupied unless the off-street loading space herein required is provided in at least the amount herein set forth; provided, however, that where off-street loading space is not provided for in structures actually used, occupied and operated on the effective date of this chapter it shall not be required under this chapter after the effective date of this chapter; if such structures are enlarged or expanded, or the uses within such structures are enlarged, expanded or changed, there shall be provided, for the increment only of such structures enlarged, expanded or changed and maintained as herein required, at least the amount of off-street loading space that would be required hereunder if the increment were a separate structure. However, where a lot with an existing structure is cleared and a new structure erected therein, there shall be provided and maintained the off-street loading space required herein.
- (c) ***Location of off-street loading space.*** Off-street loading space shall be located on the same lot as the structure for which provided.
- (d) ***Amount of off-street loading space required.*** At least the following amounts of off-street loading space shall be provided, plus an area or means adequate for ingress and egress:
 - (1) For structures containing less than 25,000 square feet of gross floor area, one berth shall be provided for each 12,500 square feet of gross floor area or increment thereof. Each such berth shall have a net area of not less than 160 square feet.
 - (2) For structures containing 25,000 or more square feet of gross floor area, the number of berths is specified in the following table. Each such berth shall be at least ten feet wide, 35 feet long and 15 feet high:

City of North Little Rock, Arkansas

Square Feet of Gross Floor Area	Required Number of Berths
10,000 up to and including 40,000	1
40,001 up to and including 100,000	2
100,001 up to and including 160,000	3
160,001 up to and including 240,000	4
240,001 up to and including 320,000	5
320,001 up to and including 400,000	6
For each additional 90,000 over 400,000	1 additional

(Ord. No. 3171, § 901, 3-26-62)

State law reference(s)--Authority to require off-street loading, A.C.A. § 14-56-416(a)(2)(B).

Sec. 118-180. Planned Building Groups.

- (a) **Purpose.** Under the standard provisions of this chapter a separate ground area, referred to in this chapter as a lot, may be designated, provided and continuously maintained for a structure or portion of a structure. Pursuant to the procedure hereinafter set forth, several lots may be combined into one special plan covering a planned building group. The procedure is intended to permit diversification in the location of residential structures and to improve circulation facilities and other site qualities while ensuring adequate standards relating to public health, safety, welfare and convenience in the use and occupancy of buildings and facilities in planned building groups and to permit the construction of low-cost private housing of good standards and quality.
- (b) **Limitation on approval procedure.** The procedure hereinafter set forth shall not be construed to waive nor shall there be waived thereby any regulation for any district except the regulation that a separate ground area, herein called the lot, may be designated, provided and continuously maintained for a structure or portion of a structure when separately owned from the other structures or portion of a structure.
- (c) **Applicability.** The procedure hereinafter set forth shall apply only in districts R-4, R-5, C-1, C-2, C-3, C-4, C-5 and O-1.
- (d) **Submission and contents of application for approval.** All applications for approval of a special plan hereunder shall be filed with the planning commission by the owner or owners of the entire land area to be included within the special plan, the owner or owners of all structures then existing on said land area and all encumbrancers of said land area and structures; shall contain sufficient evidence to establish that the applicants are the owners and all the encumbrancers of the designated land and structures; shall contain such information and representations required by this chapter or deemed necessary by the commission and shall include plats and plans showing at least the following details drawn to scale:
 - (1) The land area which would be included within the special plan, the present zoning classification of the designated area, the land area of all abutting districts and the present zoning classification thereof, all public and private rights-of-way and easements bounding and intersecting the designated area and the abutting districts which are proposed to be continued, created, relocated and/or abandoned;
 - (2) The proposed finished grade of the designated area, shown in contour intervals of not to exceed two feet;
 - (3) A description of the proposed lot or lots and the boundaries thereof;
 - (4) The location of each existing and proposed structure in the designated area, the use or uses to be contained therein, the number of stories, gross floor area and approximate location of all outside facilities for waste disposal;

- (5) All curb cuts, driving lanes, parking areas, loading areas, public transportation points and illumination facilities for the same;
 - (6) All pedestrian walks, malls, courts, parks, playgrounds and open areas for use by tenants or members of the public;
 - (7) The location and height of walls, fences and screen planting;
 - (8) The location, size, height and orientation of all signs other than signs flat on building facilities;
 - (9) The types of surfacing, such as paving, turfing or gravel, to be used at the various locations;
 - (10) The location of fire hydrants.
- (e) ***Review of applications for approval.*** All applications filed hereunder shall be reviewed for completeness by the planning commission staff. If the plans are found to be complete, they shall be transmitted for review to the planning commission and any other agency affected by such plans. Such review shall be based on the standards herein set forth. No development plan hereunder shall be approved unless in full compliance with these standards. Within not more than 60 days from the date on which an application is filed with the commission, it shall approve or disapprove such application in writing, stating, in the case of disapproval, the reasons for the disapproval, and, in all cases, giving due notice to the applicants. Within not more than 45 days after a disapproval as aforesaid, the applicants filing an application which has been disapproved may file with the commission an amendment to the plan or an amended plan. An amendment or amended plan shall be approved or disapproved within not more than 30 days after filing thereof. If on second revision of the amendment to the plan or an amended plan the commission should again disapprove the plan then it shall not be again presented to the commission for a period of one year from the date of the original application. Any approval hereunder may establish necessary conditions and limitations as determined by the commission.
- (f) ***Compliance with standard provisions of chapter.*** No application hereunder shall be approved unless the application and the accompanying plats and plans comply with all regulations established for the district or districts in which are located the land areas and structures designated in such application are located, except the regulation that a separate ground area, herein called a lot, shall be designated, provided and continuously maintained for each structure containing a permitted use.
- (g) ***Site facilities.*** All special plans hereunder shall make due provision for:
- (1) Adequate design of grades, paving, gutters, drainage and treatment of turf to handle stormwaters, and prevent erosion and formation of dust;

- (2) Adequate, safe and convenient arrangement of pedestrian circulation facilities, roadways, driveways, off-street parking and loading space, and facilities for waste disposal and illumination;
 - (3) Adequate amount and proper location of pedestrian walks, malls, courts and landscaped spaces to prevent pedestrian use of vehicular ways and parking spaces and to separate pedestrian walks, malls, courts and public transportation loading places from general vehicular circulation facilities;
 - (4) Arrangement of buildings and vehicular circulation open spaces so that pedestrians moving between buildings are not unnecessarily exposed to vehicular traffic;
 - (5) Proper arrangement of signs and lighting devices with respect to traffic control devices and adjacent residential districts;
 - (6) In residential building groups providing for permanent family occupancy, an adequate amount and safe location of play areas for children and other recreational areas according to the concentration of occupancy;
 - (7) In businesses building groups near or abutting residential districts, fences, walls or yearround screen planting when necessary to shield adjacent residential districts from parking lot illumination headlights, fumes, heat, blowing papers and dust and to reduce the visual encroachment of commercial structures, signs and activity on residential privacy and residential neighborhood character.
- (h) ***Minimum spacing between buildings; orientation of main window exposures and entrances.*** The following required spacing between buildings shall be measured perpendicularly from any exterior wall exposing windows or an entranceway; it does not apply in corner-to-corner placement of buildings where perpendicular wall exposures do not overlap:
- (1) In buildings containing multiple dwelling units, walls containing main window exposures or main entrances shall be so oriented as to ensure adequate light and air exposure, shall be so arranged as to avoid undue exposure to nearby through trafficways or undue exposure to concentrated loading or parking facilities, and shall be so oriented as to preserve visual and audible privacy between adjacent buildings.
 - (2) A building wall exposing both windows and an entranceway shall be located no closer to another building than a distance equal to the height of the taller building of the two, but in no case less than 50 feet.
 - (3) A building wall exposing only windows or only an entranceway shall be located no closer to another building than a distance equal to the height of the taller building of two, but in no case less than 35 feet.

- (4) Any open court area which otherwise complies with standards of minimum spacing and open area of window exposure must, in any case, leave at least 25 percent of its perimeter free and unobstructed for access by emergency vehicles.
- (5) A building group must be so arranged that any building is accessible by emergency vehicles.
- (i) ***Approved plans to be registered and recorded.*** After completing its review of a plan, the commission shall return one copy of the plan and all pertinent data, together with a notice of recommendation, to the applicants. All approved plans shall be registered and recorded as hereinafter set forth. Upon approval of the plan, the commission shall register a copy thereof among its records and the applicants shall record a copy thereof, or such other record thereof as deemed proper by the commission, in the office of the county recorder.
- (j) ***Effect of registration and recording of special plans.*** All plans registered and recorded hereunder shall be binding upon the applicants therefor, their successors and assigns, shall limit and control the issuance and validity of all building permits and zoning certificates and shall restrict and limit the construction, location, use and operation of all land and structure included within such plans; provided, however, that, upon application to and approval by the commission based only upon a showing of engineering necessity therefor, minor changes in the location of structures may be permitted if such minor changes will not cause any of the following circumstances to occur:
 - (1) A change in the character of the development;
 - (2) An increase in the ratio of the gross floor areas in structures to the area of any lot;
 - (3) An increase in the intensity of use;
 - (4) A reduction in the originally approved separations between buildings;
 - (5) An increase in the problems of safety, circulation and utilities;
 - (6) An increase of the external effects on adjacent property;
 - (7) A reduction in the originally approved setbacks from property lines;
 - (8) An increase in ground coverage by structures;
 - (9) A reduction in the ratio of off-street parking and loading space to gross floor area in structures;
 - (10) A change in the subject, size, lighting, flashing, animation or orientation of originally approved signs.

- (k) ***Amendment or withdrawal of registered and recorded specifications.*** Pursuant to the same procedure and subject to the same limitations and requirements by which such plans were approved, registered and recorded, all special plans registered and recorded hereunder may be amended or withdrawn, either partially or completely, from registration and released from recording if all land and structures remaining under such plans can be made to comply with all regulations established by this chapter and unrelated to any special plan hereunder. Upon approval of an application hereunder, the commission shall register among its records and shall have the applicants record in the office of the county recorder an appropriate certificate of such amendment or withdrawal.

(Ord. No. 3171, § 1001, 3-26-62)

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[SECTION] XI. 1101.1 NONCONFORMING USES.

The lawful use of land existing at the time of the passage of this ordinance, although such use does not conform to the provisions hereof, may be continued, but if such nonconforming use is discontinued, abandoned and/or superseded by a permitted use for the total of twelve (12) months, one year, it shall not again be devoted to a nonconforming use, and any future use of said land shall be in conformity with the provisions of this ordinance. The lawful use of a building existing at the time of the passage of this ordinance may be continued, although such use does not conform with the provisions hereof, and such use may be extended throughout the building provided no structural alterations, except those required by law or ordinance are made therein. If nonconforming structure is removed, the future use of such land must be in conformity, with the provisions of this ordinance, or in the case of a C-1, C-2, or C-3 permitted use in a R-2, R-3, or R-4 zone the nonconforming structure may be remodeled or rebuilt provided the structure is not enlarged. An I-1 permitted use in a C-4 or C-5 zone shall have the same above mentioned privilege. A nonconforming use then replaced shall be replaced by a use of the same or more restricted classification. The foregoing provisions shall also apply to nonconforming uses in a district hereafter changed. Nothing in this ordinance shall be deemed to prevent the restoration of a building destroyed to the extent of not more than seventy-five (75) per cent of its reasonable value, by fire, explosion or other casualty, or the public enemy, nor the continued occupancy or use of such building or part thereof which existed at the time of such partial destruction. The planning commission may waive the requirements of this section when in the opinion of a two-thirds majority of the commission a hardship would be imposed by the literal provisions of this section.

[SECTION] XII. ADMINISTRATION AND ENFORCEMENT

1201.1 Conditions, violations and remedies.

1201.1-1 *Conditions.*

1201.1-1.1 ***Limitations on all lands and structures.*** No land shall be used or occupied and no structure shall be designed, erected, altered, used or occupied except in conformity with all regulations herein established and upon performance of all conditions herein set forth.

1201.1-1.2 ***Limitations on sales and rentals of all land and structures.*** No person, firm or corporation and no officer or employee thereof (either as owner or as participating principal, agent, servant or employee of such owner) shall sell, rent or lease or offer or attempt to sell, rent or lease any land or structure upon the representation, falsely made, that such land or structure may be used or occupied in .a manner or for a use prohibited by this ordinance.

1201.1-1.3 ***Limitations on municipal agencies.*** No permit, certificate, license or other document or oral approval, the use of which may be subject to the provisions of this ordinance, shall be issued by any department, agency or board of the municipality until the planning commission shall have certified, that the use to be made of the permit, shall have certified that the use to be made of the permit, certificate, license, other document or oral approval is in full compliance with the provisions of this ordinance.

1201.1-1.4. ***Zoning certificate to erect or alter structures.*** No structure shall be erected or altered until a zoning certificate for such erection or alteration shall have been issued by the planning commission.

1201.1-1.5 ***Permit to use or occupy structures.*** No new structure shall be used or initially occupied until an occupancy permit for such use and occupancy shall have been issued by the planning commission.

1201.1-1.6 ***Zoning permit for change of use.*** Neither the use of or the uses upon any land nor the use of or the uses within any structure shall be changed until a zoning permit for such change of use shall have been issued by the planning commission.

1201.1-1.7 ***Plot plans.*** All applications for building and zoning permits shall be accompanied by a plot plan in duplicate, showing the lot plan; the location of the building or buildings on the lot; accurate dimensions of buildings and lot and such other information as may be necessary to provide for the enforcement of these regulations. The plot plan and original copy of such applications shall be kept in the office of the planning commission and the duplicate copy of such application shall be kept at .the building site at all times during construction.

1201.1-1.8 ***Foundation certificate.*** No framing or wall construction of any structure shall be commenced until the planning commission shall have certified the location of the foundations and footings as complying with this ordinance. A field inspection shall be made by the city engineer or his duly appointed agent, if not so inspected within twenty-four (24) hours after

notification, Saturday, Sunday, and holidays excepted, the foundation or footing is approved as located.

Violations.

1201.1-2.1 ***Established.*** Wherever by the provisions of this ordinance the performance of any act is required or the performance of any act is prohibited or wherever any regulation, dimension or limitation is imposed on the use or change of use of or upon any land or on the erection or alteration of any structure or the use or change of use of such structure or the uses within such structure, a failure to comply with the provisions of this ordinance shall constitute a violation of this ordinance. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not less than five dollars (\$5.00) or more than twenty-five dollars (\$25.00) for each offense. Where the violation is of a continuing nature, every day on which the violation exists shall constitute a separate offense.

Remedies.

1201.1-3.1 ***Penalties.*** Any person, firm or corporation violating any provision of this ordinance shall be subject to the penalties provided by ordinance.

1201.1-3.2 ***Additional remedies.*** In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained or any building, structure or land is used in violation of this ordinance, the municipality or any proper person may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, to restrain, correct or abate such violation, to prevent the occupancy of said building, structure or land or to prevent any illegal act, conduct, business or use in or about such premises. The imposition of any penalty hereunder shall not preclude the municipality or any proper person from instituting any appropriate action or proceedings to require compliance with the provisions of this ordinance and with administrative orders and determinations made hereunder.

1201.1-4.1 ***Pending actions and proceedings.*** All actions and proceedings pending in any court of record on the effective date of this ordinance shall be treated until the conclusion of such actions and proceedings as though all prior applicable zoning ordinances and amendments thereto were in full force and effect. All other actions and proceedings, of every kind and nature and whether judicial or administrative pending on the effective date of this ordinance shall be governed by the provisions of this ordinance.

1201.1-4.2 ***Offenses and liabilities preserved.*** All offenses committed and all liabilities incurred prior to the effective date of this ordinance shall be treated as though all prior applicable zoning ordinances and amendments thereto were in full force and effect for the purpose of sustaining any proper suit, action or prosecution with respect to such offenses and liabilities.

1201.1-5 ***Effect of other ordinances and regulations.*** Wherever higher or more restrictive standards are established by the provisions of any other applicable statute, ordinance or

regulation than are established by this ordinance, the provisions of such other statute, ordinance or regulation shall govern.

1201.1-6 *Effect of Private Covenants.* Wherever higher or more restrictive standards are established by the provisions of private covenants than are established by the provisions of this ordinance, the provisions of such covenants shall govern.

1201.1-7 *District regulations to be uniform- exception.* The regulations herein established shall apply uniformly to all geographical areas having the same district classification and bearing the same symbol or designation on the official map; provided, however, that if a district boundary line established by this ordinance, or by an amendment hereto, divides an area of land thereafter designated as a single, lot pursuant to and in accordance with the provisions of this ordinance and if entire area of land included within the designated lot was held in one ownership of record on the date the district boundary line was established, then and in that event:

1201.1-7.1 Each parcel of land of the area so divided may be used in conformity with and subject to the regulations herein established for the district in which each such parcel of land is located; or

1201.1-7.2 If the area is divided into two (2) or more parcels of land, the entire area may be used in conformity with and subject to the regulations herein established for the district in which is located the parcel of land, if any such parcel there be, which contains more than (1/2) one-half of the area of the entire lot; or

1201.1-7.3 If the area is divided into two (2) equal parcels of land, the entire area may be used in conformity with and subject to the regulations herein established for the district in which either of such parcels of land is located; provided, however,

1201.1-7.4 That no parcel of land containing more than six thousand two hundred fifty (6,250) square feet shall be used in any manner except in conformity with and subject to the regulations herein established for the district in which each parcel of land is located.

1201.1-8 *Locating district boundary lines not readily determinable from official map.* If for any reason the location, of any district boundary line is not readily determinable from the official map, the location of the district boundary line shall be fixed by the planning commission in accordance with the following provisions. Where more than one of the following enumerated applicable provisions shall prevail over all other provisions:

1201.1-8.1 Where a district boundary line is located with reference to a fixture or monument, the location of such fixture or monument shall control;

1201.1-8.2 Where a district boundary line is given a position within a street or alley right-of-way or channelized waterway, the district boundary line shall be deemed to be in the center of such street or alley right-of-way or channelized waterway;

1201.1-8.3 Where a district boundary line is shown as approximately following platted lot lines, the district boundary line shall be deemed to coincide with such platted lot lines;

1201.1-8.4 Where a district boundary line is shown by a specific dimension, such specific dimension shall control;

1201.1-8.5 Where a district boundary line extends in the direction of the length of a block, the district boundary line shall be deemed to coincide with the center line of such block;

1201.1-8.6 Where a district boundary line divides a platted lot or crosses unsubdivided property, the location of the district boundary line shall be fixed from the scale of the official map.

1201.1-9 ***Statute of limitations for municipality only.*** All actions by the municipality to restrain, correct or abate the unlawful location, gross floor area of or in a structure and alleged to result from the unlawful issuance of a permit to erect or alter such structure, shall be brought within three (3) years after the issuance of the particular permit alleged to have been unlawfully issued and not after that period.

1202 Administration staff.

1202.1 ***Creation.*** There shall be and hereby is created by the planning commission a staff for the administration of this ordinance (hereinafter called the staff) .

1202.2 ***Management and staff.*** The administrator shall be the officer in full charge of the staff and shall devote his entire time to the duties of his office. He shall be appointed by the planning commission and shall hold his office at the pleasure of the commission. The salary of the administrator, his staff of assistants and the salaries of such assistants shall be fixed by commission. No member of the staff, including the administrator, shall be a member of the board of adjustment.

1202.3 ***Duties and powers.***

1202.3-1 ***Administration.*** There is hereby vested in the staff the duty of administering this ordinance and the power necessary for such administration, incidental to which duty and power the staff shall:

1202.3-1.1 Intervene, for and on behalf of the municipality, in all public hearings before the board of adjustment, present facts and information to assist the board in reaching a decision, resist and oppose any deviations from the standard provisions of this ordinance and have decisions of the board reviewed in a court of proper jurisdiction when, in the judgment of the administrator and with the approval of the commission, such review is desirable;

1202.3-1.2 Propose and recommend to the commission the enactment of amendments to this ordinance for the purpose of improving administration and enforcement of this ordinance;

1202.3-1.3 Propose and recommend to the commission the enactment of amendments to the official map as made desirable or necessary by judicial or administrative proceedings or as deemed desirable or necessary because of changed or changing conditions. All amendments proposed hereunder shall be subject to the limitations and procedure hereinafter set forth under amendment procedure;

1202.3-1.4 The administrator or his designated staff member shall review all applications for zoning certificates and shall upon compliance to this ordinance approve and issue said zoning certificates. Also, special plans shall be reviewed and submitted to the commission for approval or disapproval; upon the approval the appropriate certificates shall be issued.

1202.3-1.5 Receive all applications for amendments this ordinance and to the official map, refer such applications to the proper agencies for examination and submit to the commission all such applications together with recommendations of the examining agencies and any recommendations by the staff deemed desirable or necessary;

1202.3-1.6 Administer rules and regulations established by the commission for proceedings without and within the commission together with regular forms for such proceedings, and a schedule of fees established by ordinance for processing amendments, issuing permits and certificates and for recording those matters and things required by this ordinance to be recorded;

1202.3-1.7 Maintain a map or maps showing the current zoning classification of all land in the municipality and the location, type and identity of all non-conforming uses;

1202.3-1.8 Maintain a current register of all non-conforming uses and regulate the registration of such uses;

1202.3-1.9 Record with the city clerk and county recorder all matters and things required by this ordinance to be recorded by the commission;

1202.3-1.10 Maintain written records of all actions taken by the commission under this ordinance.

1202.3-2 ***Enforcement.*** There is hereby vested in the commission the duty of enforcing this ordinance and the power necessary for such enforcement, incidental to which duty and power the commission shall;

1202.3-2.1 Conduct investigations and surveys to determine compliance or non-compliance with the provisions of this ordinance. The right to entry and inspection to enforce this ordinance may be enforced by application to and proper orders from a court of proper jurisdiction.

1202.3-2.2 Make written orders requiring compliance with the provisions of this ordinance. Such orders shall be served personally or by registered mail upon the person, firm or corporation deemed by the commission to be violating the provisions of this ordinance; provided, however, that if such person, firm or corporation is not the owner of the land on or the structure in which the violation is deemed to exist or have occurred, a copy of the order shall be sent by registered mail to the owner of such land or structure, the owner to be determined from the tax roll for the

preceding tax year in the office of the county assessor. The date of mailing shall be deemed the date of service of any order served by registered mail ;

1202.3-2.3 Through the commission's attorney to institute, in courts of proper jurisdiction, proceedings for the enforcement of the provisions of this ordinance and administrative orders and determinations made hereunder.

Appeals from the commission.

1202.4-1 Procedure. Any person aggrieved or any officer or department of the municipality may appeal to the board of adjustment from any order or decision of the commission. Such appeal shall be taken by filing with the commission and with the board of adjustment, within the time provided by the rules of the board, a notice of appeal specifying the particular grounds upon which the appeal is taken. Upon receipt of a notice of appeal, the commission shall transmit to the board of adjustment all the original documents and materials, or true copies thereof, constituting the record upon which the order or decision appealed from was based.

1202.4-2 Effect of appeal. An appeal from the commission to the board of adjustment shall stay all proceedings unless the administrator certifies that, by reason of the facts stated in the certificate, a stay in his opinion would cause immanent peril to life or property. When such a certificate is filed, proceedings shall not be stayed except by a restraining order granted, after due notice to the commission by the board of adjustment or a court of proper jurisdiction.

1203.1 Board of adjustment.

1203.1-1 Creation. There shall be and hereby is created a board of adjustment, (hereinafter called the "board") consisting of three (3) members. The members of the board shall be appointed by the mayor with the approval of the council for a term of three (3) years and may be removed only for cause upon written charges and after public hearing. The members of the board serving on the effective date of this ordinance, under a zoning ordinance effective prior hereto, shall be and constitute the first board hereunder and each member thereof shall serve the balance of the term to which he was appointed. Any vacancy which occurs in the board shall be filled by the mayor with the approval of the council for the unexpired term of any member whose term became vacant. No member of the board shall be on the staff of the city or be employed in or by the planning commission.

1203.1-2 Rules for proceedings before board. The board shall adopt rules governing all proceedings before it. Such rules shall provide and require that:

- a. Public notice shall be given of all hearings and all hearings shall be open to the public ;
- b. Due notice of all hearings shall be given to parties in interest in writing and to the planning commission which commission shall be permitted to intervene, for and on behalf of the municipality, in all public hearings;
- c. At any public hearing a representative of the commission and any other interested party may appear in person or by agent or by attorney, offer evidence and testimony and cross-examine witnesses ;

d. All witnesses shall be sworn or shall affirm their testimony in the manner required in courts of record ;

e. All evidence and testimony shall be presented publicly. The board may take judicial notice of facts to the same extent and in the same manner as courts of record and may consider any relevant facts within the personal knowledge of any member. For each case or matter heard, the board shall cause a record of its proceedings to be prepared. The record of proceedings shall include all documents and physical evidence considered in the case together with a transcribed stenographic record of all public proceedings. The transcribed stenographic record shall include, but need not be limited to, the verbatim testimony offered by all witnesses in the case and all personal knowledge of members of the board considered by the board in reaching its decision. The record of proceedings shall not include the deliberations or discussions of the board at private or executive sessions but shall show the grounds for each decision and the vote of each member upon each question, or, if absent or failing to vote, shall indicate such fact. The record of proceedings shall be filed immediately in the office of the board and shall be a public record.

1203.1-3 **Powers of the board.** Subject to the limitations enumerated herein, the board shall have and exercise the following powers; the board may reverse or affirm, wholly or partly or may modify the order, requirements, decision or determination appealed from and may make such order, requirements, decision or determination as ought to be made and, to that end, shall have all of the powers of the officer or department from whom the appeal is taken;

1203.1-3.1 **Administrative review.** To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of this ordinance.

1209.1-3.2 **Variances.** To authorize, upon appeal in specific cases, such variance from the terms of this ordinance, subject to terms, and conditions fixed by the board, as will not be contrary to the public interest where, owing to exceptional and extraordinary circumstances, literal enforcement of the provisions of this ordinance will result in unnecessary hardship; provided, however, that no variance shall be authorized unless the board shall find that all of the following conditions exist:

- a. That the variance will not authorize the operation of a use other than those uses specifically enumerated as permitted uses for the district in which is located the property for which the variance is sought;
- b. That the development or use of the property for which the variance is sought, if limited by a literal enforcement of the provisions of this ordinance, cannot yield a reasonable return in service, use or income as compared to adjacent conforming property in the same district;
- c. That the plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, that the unique circumstances were not created by the owner of the property and are not due to or the result of general conditions in the district in which the property is located;

- d. That the variance will not substantially or permanently injure the appropriate use of adjacent conforming property in the same district;
- e. That the variance will not alter the essential character of the district in which it is located the property for which the variance is sought;
- f. That the variance will not weaken the general purposes of this ordinance or the regulations herein established for the specific district;
- g. That the variance will be in harmony with the spirit and purposes of this ordinance;
- h. That the variance will not adversely affect the public health, safety or general welfare.

1203.1-8.8 **Exceptions.** To authorize, upon appeal in specific cases, such exceptions from the terms of this ordinance, subject to terms and conditions fixed by the board, as will permit qualified applicants to initiate and complete construction in accordance with definite formalized site plans (no portion of said plans having been constructed) or to initiate and complete the construction of additional structures in accordance with an existing major structure or structures. Every exception authorized hereunder shall be personal to the applicant therefor and shall not be transferable, shall run with the land only after the construction of the authorized structure or structures and only for the life of such structure or structures. No exception shall be authorized hereunder unless the board shall find that all of the following conditions exist:

- a. That the exception will not authorize the operation of a use other than those uses specifically enumerated as permitted uses for the district in which is located the property for which the exception is sought ;
- b. That the applicant is a public utility or a non-profit community facility providing a service but not a commodity and is acting through its executive management or governing authority;
- c. That the full development is designed and intended .to serve the district in which the development is sought to be operated and maintained;
- d. That the full development is necessary and desirable to provide a service or a facility which would contribute to the general well-being of the district in which the development is sought to be operated and maintained;
- e. That the exception is essential to maintain the functional design and architectural integrity of the development;
- f. That the exception will not substantially or permanently injure the appropriate use of adjacent conforming property in the same district;
- g. That the exception will not alter the essential character of the district in which is located the property for which the exception is sought;
- h. That the exception will not weaken the general purposes of this ordinance or the regulations herein established for the specific district;

- i. That the exception will be in harmony with the spirit and purposes of this ordinance;
- j. That the exception will not adversely affect the public health, safety or general welfare.

1203.1-3.4 ***Oaths and attendance of witnesses.*** For the purpose of exercising the powers herein enumerated, the board shall elect a chairman and vice-chairman. The chairman, or in his absence, the vice-chairman, shall administer oaths to or accept affirmations from witnesses and may compel the attendance of witnesses. A failure or a refusal to appear in response to a subpoena issued by the board shall constitute a violation of this ordinance.

1203.1-4 ***Limitations on powers of board.***

1203.1-4.1 ***Concurring vote required.*** The concurring vote of two members of the board shall be necessary to reverse any order, requirements, decision or determination of any administrative official or to decide in favor of the applicant on any matter upon which the board is required to pass under this ordinance or to effect any variation in this ordinance.

1203.1-4.2 ***Findings of fact.*** Every decision of the board shall be based upon findings of fact and every finding of fact shall be supported in the record of its proceedings. The enumerated conditions required to exist on any matter upon which the board is required to pass under this ordinance or to effect any variation in this ordinance shall be constructed as limitations on the power of the board to act. A mere finding or recitation of the enumerated conditions unaccompanied by findings of specific facts shall not be deemed findings of fact and shall not be deemed compliance with the ordinance.

1203.1-4.3 ***Powers strictly construed.*** Nothing herein contained shall be construed to empower the board to change the terms of this ordinance, to effect changes in the official map or to add to the specific uses permitted in any district. The powers of the board shall be so construed that this ordinance and the official map are strictly enforced.

Appeals from the board.

1203.1-5.1 ***Procedure.*** Any person aggrieved, any taxpayer, the municipality or any officer or department of the municipality may have a decision of the board reviewed in the manner provided by rules relating to civil proceedings. No such review shall be granted unless, a petition therefor, duly verified, setting forth that such decision is illegal, in whole or part, and specifying the grounds of the illegality, is presented to a court of record within thirty (30) days after the filing of the decision in the office of the board. The board shall not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or, sworn copies thereof or such portions thereof as may be called for. The return shall concisely set forth such other facts as may be pertinent and material to the decision appealed from and shall be verified.

1203.1-5.2 ***Effect of appeal.*** The issuance of a writ on a petition hereunder shall not stay proceedings upon the decision appealed from but the court, on application after notice to the board and on due cause shown, may grant restraining order.

1203.1-6 ***Liability.*** Any commissioner, or employee, or member of the board of adjustment, charged with the enforcement of this Code, acting for the city in the discharge of his duties, shall not thereby render himself liable personally, and he is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties. Any suit brought against any commissioner, or employee, or member of board of adjustment, because of such act performed by him in the enforcement of any provision of this Code shall be defended by legal representative until the final termination of the proceedings.

1204 Special uses.

1204.1 ***Purpose.*** The development and execution of a zoning ordinance is based upon the division of the city into districts, within which districts the use of land and building and the bulk and location of buildings and structures in relation to the land are substantially uniform. It is recognized, however, that there are special uses which, because of their unique characteristics, cannot be properly classified in any particular district or districts without consideration, in each case of the impact of those uses upon neighboring land and of the public need for the particular use at the particular location. Such special uses fall into two (2) categories:

1. Uses publicly operated or traditionally affected with a public interest, and that are necessary to insure the public peace, health and welfare.
2. Uses entirely private in character but of such an unusual nature that their operation may give rise to unique problems with respect to their impact upon neighboring property or public facilities, and which uses are in principal compatible with surrounding uses.

1204.2 ***Initiation of Special Use.*** Any person, firm or corporation owning or having an interest in the subject property may file an application to use such land for one or more of the special uses provided for in this ordinance in the zoning district in which the land is situated. Provided, no event shall any special use be permitted in an R-1 zone.

1204.3 ***Application for Special Uses.*** An application for a special use or expansion of a special use shall be filed with the planning commission on a form prescribed by the planning commission. The application shall be accompanied by such plans and/or data prescribed by the planning commission and shall include a statement in writing by the applicant and adequate evidence showing that the proposed special use will conform to the standard set forth in paragraph 1204.6 of this section. (Standards)

1204.4 ***Hearing on application.*** Upon receipt in proper form of the application and statement referred to in paragraph 1204.3 of this section, the planning commission shall hold a public hearing after notice as provided by state law.

1204.5 Authorization. For each application for a special use the planning commission shall report to the city council its findings and recommendations, including the stipulations of additional conditions, and guarantees that such conditions will be complied with when they are deemed necessary for the protection of the public interest. The city council, subject to the requirements of this section may grant or deny any application for a special use. Special uses shall only become effective by an ordinance duly passed by the city council. Provided, however, no special use shall be approved in Zones R-2, R-3 or R-4 without a ($\frac{2}{3}$) two-thirds majority of all of the members of the city council.

1204.6 Standards. No special use shall be adopted by the council unless the following standards are found to exist:

1. That the establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.
2. That adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided.
3. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
4. That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each, instance be modified by the city council pursuant to the recommendation of the planning commission.

1204.7 Conditions and Guaranties [Guarantees]. Prior to the granting of any special use the planning commission may recommend, and the city council shall stipulate, such conditions and restrictions upon the establishment, location, construction, maintenance, and operation of the special Use as deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified in paragraph 1204.6 of this section. In all cases in which special uses are granted the city council shall require such evidence and guaranties [guarantees] as it may deem necessary as proof that the conditions stipulated in connection therewith are being, and will be complied with.

1204.8 Requirements for Authorized Special Uses. Each special use hereafter authorized shall be required to adhere to the off-street parking, heights, and set-back regulations of this ordinance applicable to the particular use district in which the special use is authorized.

1204.9 Revocation. In any case where a special use has not been established within one year after the date of the granting thereof, then without further action by the planning commission or the city council, the special use authorization shall be null and void. (Ord. No.4617, § 1, 2-23-76) .

Editor's note-The above section is derived from Ord. No.4716, § 1, adopted 2-23-76; such ordinance amended Ordinance No.3171 (the basic zoning ordinance), but did not purpose to change or create any specific section. Its

placement and number are an exercise of editorial discretion; additional subsection numbers have been altered to conform to the style of the basic zoning ordinance.

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[SECTION] XIII. [AMENDMENTS]

1301 Amendments to ordinance and map.

The regulations, conditions, restriction, and boundaries provided for in this ordinance may from time to time be amended or repealed through the following procedure:

1301.1 A proposal to amend this ordinance, or any part thereof, may be submitted by any owner or owners of land within the zoning jurisdiction of the City of North Little Rock, provided, that no proposal shall be considered by the commission within five (5) days from the filing of the proposal with the commission. The proposal shall contain a description of the area involved; a statement of the present and proposed zoning or rezoning to be applied to the area; the names and addresses of the owner or owners of the property; the intended use of the land, and such other plans and information as may be required under the provisions , of this ordinance.

1301.2 The administrator shall present the proposal to the commission, together with his recommendations on it.

1301.3 The commission shall hold a public hearing on the proposal. Due notice of the proposal shall be published in a local newspaper as required by law. Such public hearing may be recessed from time to time or from place to place without further published notice if such time and place for reconvening is announced at the time of recess. If the commission does not approve or disapprove the proposal within forty-five (45) days of the date when submitted to the commission, the petitioner may take it to the council without recommendation from the commission.

1301.4 Upon the making of an affirmative report by the commission to the council, or upon the presentation of a proposal which has not been acted on by the commission within the forty-five (45) days specified above, the council shall take such lawful action as it may deem advisable.

1301.5 All amendments to the ordinance and the zoning map shall be listed in the order adopted in a separate register and on the zoning map kept current by the commission.

1301.6 When an application for an amendment to the ordinance for a specific parcel or parcels has been denied, reapplication shall not be made for a period of one year from the date of the original application.

[SECTION] XIV. [ANNEXATIONS]

1401 Annexed territory.

Territory which may hereafter be annexed to the City of North Little Rock shall be classified residential, R-1, or conservation, as determined by the commission immediately upon final acceptance of the territory by the city, and until such time as a zoning plan of the area is prepared and adopted. The commission shall prepare such zoning plans within a period not to exceed ninety (90) days from the date of acceptance of the annexed area by the city. ~~If the commission does not prepare or have prepared such zoning plans within ninety (90) days from the date of~~

~~annexation, the owner or owners of land annexed shall have prepared a zoning plan, and it shall be deemed to be the proper and correct zoning of the property upon its filing with the commission.~~

[SECTION] XV. [SEVERABILITY]

1501 Severability of ordinance.

If for any reason anyone or more sections, sentences, clauses or parts of this ordinance are held invalid, such judgment shall not affect, impair or invalidate the remaining provisions of this ordinance, but shall be confined in its operation to the specific sections, sentences, clauses or parts of this ordinance held invalid and the invalidity of any section, sentence, clause or part of this ordinance in anyone or more instances shall not affect or prejudice in any way the validity of this ordinance in any other instance.

[SECTION] XVI. [REPEAL]

1601 Repeal.

This ordinance hereby repeals any or all ordinances inconsistent herewith which have been previously enacted.